

FEDERAL REGISTER

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TITLE 3—THE PRESIDENT

PROCLAMATION 3250

INDEPENDENCE DAY, 1958

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS of all the days in the year, the primary one to us—as a Nation—is the 4th of July, the anniversary of the signing of our Declaration of Independence; and

WHEREAS on this day we renew our allegiance to the Union, to the principles of self-government, and to the spirit of freedom which is the source of its strength, deeply aware that in many quarters of the globe this freedom is now threatened as never before; and

WHEREAS the freedom of mankind is indivisible and our land must play a central part in defending and developing the wellsprings of freedom, not only for ourselves, but for our friends and allies; and

WHEREAS this is the year which marks the hundredth anniversary of the birth of Theodore Roosevelt, a champion of the highest ideals of American citizenship; and

WHEREAS by a joint resolution approved July 3, 1958 (S. J. Res. 159) the Congress authorized and requested the President to proclaim July 4, 1958 as a day of rededication to the responsibilities of free citizenship;

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, confident that July 4th will be observed as an occasion for traditional ceremony and civic festivities, call upon the people of the United States to observe this day as the beginning of a national year of dedication to the goals of free men. Let us use our liberty with honor and purpose, sharing it with our fellow citizens and, as free and responsible Americans, building a just and peaceful world for our children here at home and for our neighbors around the world.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed,

DONE at the City of Washington this third day of July in the year of our Lord nineteen hundred and [SEAL] fifty-eight, and of the Independence of the United States of America the one hundred and eighty-second.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
Secretary of State.

[F. R. Doc. 58-8315; Filed, July 8, 1958; 4:49 p. m.]

PROCLAMATION 3251

MODIFYING THE IMPORT QUOTA ON
LONG-STAPLE COTTON

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS on September 5, 1939, the President, under the authority of section 22 of the Agricultural Adjustment Act, as amended (7 U. S. C. 624), issued a proclamation (No. 2351; 3 CFR, Cum. Supp., p. 113) limiting the quantities of certain cotton and cotton waste which might be entered, or withdrawn from warehouse, for consumption, which proclamation was suspended in part or modified by proclamations of December 19, 1940 (No. 2450; 3 CFR, Cum. Supp., p. 205), March 31, 1942 (No. 2544; 3 CFR, Cum. Supp., p. 294), June 29, 1942 (No. 2560; 3 CFR, Cum. Supp., p. 308), February 1, 1947 (No. 2715; 3 CFR, 1943-48, Comp., p. 102), June 9, 1947 (No. 2734; 3 CFR, 1943-48, Comp., p. 116), July 20, 1948 (No. 2800; 3 CFR, 1943-48, Comp., p. 217), September 3, 1949 (No. 2856; 3 CFR, 1949 Supp., p. 45), October 4, 1950 (No. 2905; 3 CFR, 1950 Supp., p. 57), October 12, 1950 (No. 2907; 3 CFR, 1950 Supp., p. 61), June 29, 1951 (No. 2934; 3 CFR, 1951 Supp., p. 35), and June 29, 1956 (No. 3145; 3 CFR, 1956 Supp., p. 34); and

WHEREAS under the proclamation of September 5, 1939, as suspended in part and modified, the quantity of cotton hav-

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FEDERAL REGISTER

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CFR SUPPLEMENTS

(As of January 1, 1958)

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ing a staple of 1½ inches or more in length which may be entered, or withdrawn from warehouse, for consumption in any year beginning August 1 may not exceed 45,656,420 pounds; and

WHEREAS, pursuant to subsection (d) of section 22 of the Agricultural Adjustment Act, the United States Tariff Commission has made a supplemental investigation to determine whether changed circumstances require the further modification of the proclamation of September 5, 1939, to carry out the purposes of the said section 22; and WHEREAS the Commission has transmitted to me a report of its findings and recommendations made in connection with its supplemental investigation:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby find and proclaim, on the basis of the supplemental investigation and report of the United States Tariff Commission, that changed circumstances require the further modification, as hereinafter pro-

vided, of the said proclamation of September 5, 1939, in order to carry out the purposes of section 22 of the Agricultural Adjustment Act, as amended. Accordingly, under the authority vested in me by such section, I hereby further modify the said proclamation of September 5, 1939, so that of the total quantity of 45,656,420 pounds of cotton having a staple of 1½ inches or more in length which may be entered, or withdrawn from warehouse, for consumption during the year beginning August 1, 1958, and in any subsequent year beginning August 1, not more than 39,590,778 pounds shall consist of cotton having a staple of 1½ inches or more in length, and not more than 6,065,642 pounds shall consist of cotton having a staple of 1½ inches or more but less than 1¾ inches in length: Provided, that of such 6,065,642 pounds, not more than 1,500,000 pounds shall consist of harsh or rough cotton (except cotton of perished staple, grabbets, and cotton pickings), white in color and having a staple of 1½ inches or more in length, and not more than 4,565,642 pounds shall consist of other cotton.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this seventh day of July in the year of our Lord nineteen hundred and [SEAL] fifty-eight and of the Independence of the United States of America the one hundred and eighty-third.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
Secretary of State.

[F. R. Doc. 58-5316; Filed, July 8, 1958; 4:49 p. m.]

RULES AND REGULATIONS

TITLE 23—HIGHWAYS

Chapter I—Bureau of Public Roads,
Department of CommercePART 15—RULES AND REGULATIONS FOR
ADMINISTERING FOREST HIGHWAYS

APPORTIONMENT

Section 15.2 (b) of the rules and regulations for administering forest highways, published and effective November 6, 1957, is hereby amended, effective upon publication in the FEDERAL REGISTER, by substituting a comma for the period at the end thereof and adding immediately thereafter the following: "except that the amounts authorized to be appropriated for forest highways under section 3 (a) of the Federal-Aid Highway Act of 1958 (72 Stat. 89), for the fiscal years ending June 30, 1959, June 30, 1960, and June 30, 1961, shall be apportioned for expenditure in each State, Alaska and Puerto Rico in the

same percentage as the amounts apportioned for expenditure in each State, Alaska and Puerto Rico from funds authorized for forest highways for the fiscal year ending June 30, 1958."

(Sec. 6, 54 Stat. 869, as amended; 23 U. S. C. 23b. Interprets or applies sec. 23, 42 Stat. 288, as amended, sec. 2, 49 Stat. 1520, as amended; 23 U. S. C. 23, 23a)

Recommended:

CLARE HENDEE,
Acting Chief, Forest Service,
Department of Agriculture.
B. D. TALLAMY,
Federal Highway Administrator,
Bureau of Public Roads.

Approved:

TRUE D. MORSE,
Acting Secretary of Agriculture.
[SEAL] SINCLAIR WEEKS,
Secretary of Commerce.

[F. R. Doc. 58-5278; Filed, July 9, 1958; 8:51 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 32]

PART 40—SCHEDULED INTERSTATE AIR
CARRIER CERTIFICATION AND OPERATION
RULES

TAKE-OFF AND LANDING WEATHER MINIMUMS

Sections 40.405 and 40.406 of the Civil Air Regulations prescribe the weather minimums for instrument approach procedures and VFR and IFR take-offs and landings. This supplement interprets these regulations with respect to the weather reports which will control in determining whether such weather conditions exist at any given time.

Since the material concerning § 40.405 is published as an interpretation and not as a rule, the notice of proposed rule-making published in 21 F. R. 684 on January 31, 1956, is hereby withdrawn.

This supplement also revokes the rule contained in § 40.406-1 and republishes that material as an interpretation applying to § 40.406.

1. A new § 40.405-1 is added to read as follows:

§ 40.405-1 *VFR takeoff and landing minimums (CAA interpretations which apply to § 40.405)*—(a) *General*. The ceiling and visibility contained in the main body of the latest weather report furnished by the U. S. Weather Bureau or a source approved by the Weather Bureau will control for VFR takeoffs and landings on all runways of an airport, except as provided in paragraph (b) of this section.

(b) *Runway visibility*. Whenever the latest weather report furnished by the U. S. Weather Bureau or a source approved by the Weather Bureau, including an aural report from the control tower, contains a visibility value specified as runway visibility for a particular runway of an airport, such visibility will control for takeoffs and landings on that runway.¹

2. Section 40.406-1, effective December 15, 1955, is hereby revoked, and a new § 40.406-1 is added to read as follows:

§ 40.406-1 *IFR takeoff and landing, and instrument approach procedure, weather minimums (CAA interpretations which apply to § 40.406)*—(a) *General*. The ceiling and visibility contained in the main body of the latest weather report furnished by the U. S. Weather Bureau or a source approved by the Weather Bureau will control for instrument approach procedures and landings and takeoffs for all runways of an airport, except as provided in paragraph (b) of this section.

(b) *Runway visibility*. Whenever the latest weather report furnished by the U. S. Weather Bureau or a source ap-

¹Information respecting the official runway visibility observations reported by the control tower operator may be obtained from the Office of the U. S. Weather Bureau for the airport concerned. Such office maintains a continuous graph recording of the runway visibility shown on the visibility meter in the control tower.

proved by the Weather Bureau, including an aural report from the control tower, contains a visibility value specified as runway visibility for a particular runway of an airport, such visibility will control for straight-in instrument approaches, landings, and takeoffs for that runway.¹

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This supplement shall become effective August 15, 1958.

[SEAL] WILLIAM B. DAVIS,
Acting Administrator
of Civil Aeronautics.

JULY 1, 1958.

[P. R. Doc. 58-5237; Filed, July 9, 1958; 8:45 a. m.]

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 14]

PART 514—TECHNICAL STANDARD ORDERS FOR AIRCRAFT MATERIALS, PARTS, PROCESSES, AND APPLIANCES

TSO-C52, AIRCRAFT FLIGHT DIRECTOR

Minimum performance standards for aircraft flight director instruments which are to be used in civil aircraft of the United States are defined in the new regulation § 514.51 (TSO-C52).

Section 514.51 appeared as a notice of proposed rule making in 23 F. R. 2973 on May 2, 1958. All interested persons have been afforded an opportunity to submit written views, data, or argument. No comments were received.

Section 514.51 is added under Subpart B of this part to read as follows:

§ 514.51 Aircraft flight director—TSO-C52—(a) Applicability—(1) Minimum performance standards. Minimum performance standards are hereby established for aircraft flight director instruments which specifically are required to be approved for use in civil aircraft of the United States. Aircraft flight director instruments to be eligible for installation in civil aircraft shall meet the standards set forth in SAE Aeronautical Standard AS-420, "Flight Directors", dated December 15, 1954.

(b) Data requirements. One copy each of the manufacturer's operating instructions, schematic diagrams, and installation procedures shall be furnished the Chief, Aircraft Engineering Division, Civil Aeronautics Administration, Washington 25, D. C., with the statement of conformance.

(c) Effective date. July 15, 1958.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL] WILLIAM B. DAVIS,
Acting Administrator
of Civil Aeronautics.

JULY 2, 1958.

[P. R. Doc. 58-5238; Filed, July 9, 1958; 8:45 a. m.]

¹ See footnote on page 5235.

² Copies may be obtained from the Society of Automotive Engineers, Inc., 485 Lexington Avenue, New York 17, New York.

[Amdt. 11]

PART 600—DESIGNATION OF CIVIL AIRWAYS ALTERATIONS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel, and are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required.

Part 600 is amended as follows:

1. Section 600.14 Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.) is amended by changing all before "Newhall, Calif., radio range station;" to read: "From the Los Angeles, Calif., nondirectional radio beacon via the intersection of a 260° True bearing from the Los Angeles nondirectional radio beacon and the southwest course of the Camarillo, Calif., radio range; Camarillo, Calif., radio range station, except that the portions of this civil airway which lie within the geographic limits of, and between the designated altitudes of, the Point Mugu restricted area (R-100) and the established altitudes of the Point Mugu warning area (W-289) shall not be used by aircraft during the time of designation of this restricted area and this warning area unless prior approval is obtained from the Civil Aeronautics Administration Air Traffic Control; Newhall, Calif., radio range station;" by changing the name "Zuni, N. Mex., radio range station" to read: "El Moro, N. Mex., radio range station", and by changing the words which read: "excluding the portion which overlaps Albuquerque restricted area R-313;" to read: "excluding the portion which lies within the geographic limits of, and between the designated altitudes of, the Albuquerque restricted area (R-313) during the restricted area's time of designation;"

2. Section 600.108 Amber civil airway No. 8 (Los Angeles, Calif., to Ellensburg, Wash.) is amended by changing the words which read: "a line bearing 309° True from the San Francisco Gap, Calif., nondirectional radio beacon" to read: "a line bearing 296° True from the San Francisco Gap, Calif., nondirectional radio beacon".

3. Section 600.115 is added to read:

§ 600.115 Amber civil airway No. 15 (United States-Canadian Border to Annette Island, Alaska). The airspace over United States territory from the Ethelda Bay, British Columbia, Canada, nondirectional radio beacon to the Annette Island, Alaska, radio range station.

4. Section 600.211 is amended by changing the caption to read: "Red civil airway No. 11 (Tulsa, Okla., to Boston, Mass.) and by deleting the portion which reads: "From the intersection of the northeast course of the Gage, Okla., radio range and a line bearing 314° True from the Enid, Okla., Vance AFB nondirectional beacon via the Enid, Okla., Vance AFB nondirectional radio beacon

to the intersection of a line bearing 130° True from the Vance AFB nondirectional radio beacon and the north course of the Oklahoma City, Okla., radio range."

5. Section 600.212 is amended by changing the caption to read: "Red civil airway No. 12 (Joliet, Ill., to Detroit, Mich.)" and by deleting the portion which reads: "That airspace over United States territory from the Windsor, Ontario, Canada, radio range station to the Erie, Pa., radio range station."

6. Section 600.257 is amended to read:

§ 600.257 Red civil airway No. 57 (Akron, Ohio, to Youngstown, Ohio). From the Akron, Ohio, radio range station to the Youngstown, Ohio, radio range station.

7. Section 600.277 is amended by changing the caption to read: "Red civil airway No. 77 (Richmond, Va., to Atlantic City, N. J.) and by changing all before Tappahannock, Va., radio range station to read: "From the Richmond, Va., radio range station via the Tappahannock, Va., radio range station;"

8. Section 600.670 is amended by changing the caption to read: "Blue civil airway No. 70 (Waco, Tex., to Ardmore, Okla.) and by changing the portion which reads: "Mineral Wells, Tex., nondirectional radio beacon; Ardmore, Okla., nondirectional radio beacon to the Tulsa, Okla., radio range station" to read: "Mineral Wells, Tex., nondirectional radio beacon to the Ardmore, Okla., nondirectional radio beacon."

9. Section 600.672 Blue civil airway No. 72 (Enid, Okla., to Wichita, Kans.) is revoked.

10. Section 600.6002 VOR civil airway No. 2 (Seattle, Wash., to Boston, Mass.) is amended by changing the portion which reads: "Bozeman, Mont., omnirange station; intersection of the Bozeman omnirange 157° True and the Livingston omnirange 262° True radials; Livingston, Mont., omnirange station;" to read: "Bozeman, Mont., omnirange station; intersection of the Bozeman omnirange 157° and the Livingston omnirange 261° radials; Livingston, Mont., omnirange station;"

11. Section 600.6003 VOR civil airway No. 3 (Key West, Fla., to Presque Isle, Maine) is amended by changing the portion which reads: "Florence, S. C., omnirange station, including an east alternate; intersection of the Florence omnirange 054° and the Raleigh omnirange 198° radials; Raleigh, N. C., omnirange station, including a west alternate from the Florence omnirange station to the Raleigh omnirange station via the intersection of the Florence omnirange 008° and the Raleigh omnirange 232° radials; point of intersection of the Raleigh omnirange 008° True and the South Boston, Va., omnirange 081° True radials; Flat Rock, Va., omnirange station;" to read: "Florence, S. C., omnirange station, including an east alternate; intersection of the Florence omnirange 008° and the Raleigh omnirange 220° radials; Raleigh, N. C., omnirange station, including an east alternate via the intersection of the Florence omnirange 039° and the Raleigh omnirange 185° radials; intersection of the Raleigh omnirange 016° and the Flat Rock omnirange 214°

radials; Flat Rock, Va., omnirange station."

12. Section 600.6007 *VOR civil airway No. 7 (Miami, Fla., to Green Bay, Wis.)* is amended by changing the portion which reads: "Tallahassee, Fla., omnirange station; intersection of the Tallahassee omnirange 267° and the Marianna omnirange 118° radials; Marianna, Fla., omnirange station, including a west alternate from the Cross City omnirange station to the Marianna omnirange station via the intersection of the Cross City omnirange 287° and the Marianna omnirange 141° radials;" to read: "Tallahassee, Fla., omnirange station; intersection of the Tallahassee omnirange 267° and the Marianna omnirange 141° radials; Marianna, Fla., omnirange station, including a west alternate from the Cross City omnirange station to the Marianna omnirange station via the intersection of the Cross City omnirange 287° and the Marianna omnirange 141° radials;"

13. Section 600.6010 *VOR civil airway No. 10 (Pueblo, Colo., to New York, N. Y.)* is amended by changing all before "Dodge City, Kans., omnirange station;" to read: "From the Pueblo, Colo., omnirange station via the Lamar, Colo., omnirange station; Garden City, Kans., VORTAC, including a north alternate; Dodge City, Kans., omnirange station;"

14. Section 600.6012 *VOR civil airway No. 12 (Santa Barbara, Calif., to Philadelphia, Pa.)* is amended by changing the portion which reads: "Albuquerque, N. Mex., omnirange station, including a south alternate from the Zuni omnirange station to the Albuquerque omnirange station via the intersection of the Zuni omnirange 111° True and the Albuquerque omnirange 254° True radials; Otto, N. Mex., omnirange station;" to read: "Albuquerque, N. Mex., omnirange station, including a south alternate from the Zuni omnirange station to the Albuquerque omnirange station via the point of intersection of the Zuni omnirange direct radial to the La Joya, N. Mex., omnirange with the Albuquerque omnirange 254° radial; Otto, N. Mex., omnirange station;"

15. Section 600.6022 *VOR civil airway No. 22 (New Orleans, La., to Jacksonville, Fla.)* is amended by changing the portion which reads: "Marianna, Fla., omnirange station, intersection of the Marianna omnirange 118° and the Tallahassee omnirange 267° radials; Tallahassee, Fla., omnirange station; to the Jacksonville, Fla., omnirange station, including a north alternate from the Marianna omnirange station to the Jacksonville omnirange station via the point of intersection of the Marianna omnirange 093° and the Albany, Ga., omnirange 152° radials and the point of intersection of the Valdosta, Ga., omnirange 233° and the Cross City omnirange 333° radials;" to read: "Marianna, Fla., omnirange station; intersection of the Marianna omnirange 141° and the Tallahassee omnirange 267° radials; Tallahassee, Fla., omnirange station; to the Jacksonville, Fla., omnirange station, including a north alternate from the Marianna omnirange station to the Jacksonville omnirange station via the point of intersection of the Marianna

omnirange 092° and the Albany, Ga., omnirange 152° radials and the point of intersection of the Valdosta, Ga., omnirange 233° and the Cross City, Fla., omnirange 333° radials."

16. Section 600.6035 *VOR civil airway No. 35 (Key West, Fla., to Syracuse, N. Y.)* is amended by changing the portion which reads: "Philipsburg, Pa., omnirange station; Elmira, N. Y., omnirange station;" to read: "Philipsburg, Pa., omnirange station; Stonyfork, Pa., omnirange station; Elmira, N. Y., omnirange station;"

17. Section 600.6040 is amended to read:

§ 600.6040 *VOR civil airway No. 40 (Bergholz, Ohio, to Johnstown, Pa.)*. From the point of intersection of the Pittsburgh, Pa., omnirange 291° and the Youngstown, Ohio, omnirange 195° radials via the Imperial, Pa., omnirange station; to the point of intersection of the Pittsburgh, Pa., omnirange 067° and the Johnstown, Pa., omnirange 290° radials.

18. Section 600.6041 is amended to read:

§ 600.6041 *VOR civil airway No. 41 (Pittsburgh, Pa., to Youngstown, Ohio)*. From the Pittsburgh, Pa., omnirange station via the Imperial, Pa., omnirange station; intersection of the Imperial 326° and the Youngstown, Ohio, 180° radials; to the Youngstown, Ohio, omnirange station.

19. Section 600.6042 is amended to read:

§ 600.6042 *VOR civil airway No. 42 (Flint, Mich., to Washington, D. C.)*. That airspace over the United States territory from the point of intersection of the Lansing, Mich., omnirange 068° and the Salem, Mich., omnirange 342° radials via the Windsor, Ont., omnirange station; Cleveland, Ohio, omnirange station; the point of intersection of the Youngstown omnirange 233° and the Cleveland omnirange 116° radials; Imperial, Pa., omnirange station; Pittsburgh, Pa., omnirange station; Johnstown, Pa., omnirange station; Martinsburg, W. Va., omnirange station; to the Washington, D. C., terminal omnirange station.

20. Section 600.6045 *VOR civil airway No. 45 (New Bern, N. C., to Saginaw, Mich.)* is amended by changing all before "Pulaski, Va., omnirange station;" to read: "From the New Bern, N. C., omnirange station via the intersection of the New Bern omnirange 297° and the Raleigh omnirange 121° radials; Raleigh, N. C., omnirange station; Greensboro, N. C., omnirange station, including an east alternate via the intersection of the Raleigh omnirange 305° and the Greensboro omnirange 051° radials and also a west alternate via the intersection of the Raleigh omnirange 240° and the Greensboro omnirange 123° radials; Pulaski, Va., omnirange station;"

21. Section 600.6072 *VOR civil airway No. 72 (Troy, N. Y., to Albany, N. Y.)* is amended by changing the portion which reads: "Bradford, Pa., omnirange station; Elmira, N. Y., omnirange station;" to read: "Bradford, Pa., omnirange station; point of intersection of the Brad-

ford omnirange 078° radial with the Stonyfork, Pa., omnirange direct radial to the Wellsville, N. Y., omnirange station; Elmira, N. Y., omnirange station;"

22. Section 600.6074 *VOR civil airway No. 74 (Hugo, Colo., to Pine Bluff, Ark.)* is amended by changing the portion which reads: "From the Hugo, Colo., omnirange station via the Garden City, Kans., omnirange station;" to read: "From the Hugo, Colo., omnirange station via the intersection of the Hugo omnirange 112° and the Garden City VORTAC 296° radials; Garden City, Kans., VORTAC;"

23. Section 600.6084 is amended by changing the caption to read: § 600.6084 *VOR civil airway No. 84 (Shabbona, Ill., to Syracuse, N. Y.)* and by changing the portion which reads: "to the Buffalo, N. Y., omnirange station;" to read: "Buffalo, N. Y., omnirange station; Geneseo, N. Y., omnirange station; the point of intersection of the Rochester, N. Y., omnirange 130° and the Elmira, N. Y., omnirange 354° radials; Syracuse, N. Y., omnirange station;"

24. Section 600.6095 is amended to read:

§ 600.6095 *VOR civil airway No. 95 (Phoenix, Ariz., to Winslow, Ariz.)*. From the Phoenix, Ariz., omnirange station via the intersection of the Phoenix omnirange 004° and the Winslow omnirange 224° radials; to the Winslow, Ariz., omnirange station.

25. Section 600.6103 is amended by changing the caption to read: "VOR civil airway No. 103 (Greensboro, N. C., to Windsor, Ont.) and by changing the portion which reads: "to the Cleveland, Ohio, omnirange station;" to read: "Cleveland, Ohio, omnirange station; point of intersection of the Carleton, Mich., omnirange 097° and the Windsor omnirange 121° radials; to the Windsor, Ont., omnirange station."

26. Section 600.6116 *VOR civil airway No. 116 (Kansas City, Mo., to New York, N. Y.)* is amended by changing all after "Bradford, Pa., omnirange station;" to read: "Bradford, Pa., omnirange station; Stonyfork, Pa., omnirange station; Wilkes-Barre-Scranton, Pa., omnirange station; to the point of intersection of the Wilkes-Barre-Scranton omnirange 117° and the Wilton, Conn., omnirange 240° radials."

27. Section 600.6119 is amended to read:

§ 600.6119 *VOR civil airway No. 119 (Huntington, W. Va., to Rochester, N. Y.)*. From the Huntington, W. Va., nondirectional radio beacon via the Henderson, W. Va., omnirange station; Parkersburg, W. Va., omnirange station; Wheeling, W. Va., omnirange station; Imperial, Pa., omnirange station; Fitzgerald, Pa., omnirange station; Bradford, Pa., omnirange station; Wellsville, N. Y., omnirange station; Geneseo, N. Y., omnirange station; to the Rochester, N. Y., omnirange station.

28. Section 600.6126 *VOR civil airway No. 126 (Chicago, Ill., to New York, N. Y.)* is amended by changing all after "Bradford, Pa., omnirange station;" to read: "Bradford, Pa., omnirange station; Stonyfork, Pa., omnirange station;

Wilkes-Barre-Scranton, Pa., omnirange station; Huguenot, N. Y., omnirange station; to the point of intersection of the Huguenot omnirange 114° and the Wilton, Conn., omnirange 240° radials."

29. Section 600.6127 is amended to read:

§ 600.6127 *VOR civil airway No. 127 (Livingston, Mont., to Helena, Mont.)*. From the Livingston, Mont., omnirange station via the intersection of the Livingston omnirange 323° and the Helena, Mont., omnirange 119° radials to the Helena, Mont., omnirange station.

30. Section 600.6133 *VOR civil airway No. 133 (Charlotte, N. C., to Traverse City, Mich.)* is amended by changing the portion which reads: "Mansfield, Ohio, omnirange station; intersection of the Mansfield omnirange 345° True and the Salem omnirange 140° True radials; Salem, Mich., omnirange station;" to read: "Mansfield, Ohio, omnirange station; Sandusky, Ohio, omnirange station; intersection of the Waterville, Ohio, omnirange 058° and the Salem omnirange 140° radials; Salem, Mich., omnirange station;"

31. Section 600.6135 is amended to read:

§ 600.6135 *VOR civil airway No. 135 (Yuma, Ariz., to Tonopah, Nev.)*. From the Yuma, Ariz., omnirange station via the Blythe, Calif., omnirange station; Needles, Calif., omnirange station; to the Las Vegas, Nev., omnirange station. From the point of intersection of the Tonopah omnirange 198° radial with the Coaldale, Nev., omnirange direct radial to Beatty, Nev., omnirange; to the Tonopah, Nev., omnirange station.

32. Section 600.6138 is amended to read:

§ 600.6138 *VOR civil airway No. 138 (Rock River, Wyo., to Fort Dodge, Iowa)*. From the Rock River, Wyo., omnirange station via the Cheyenne, Wyo., omnirange station, including a north alternate via the intersection of the Rock River omnirange 108° and the Cheyenne omnirange 320° radials; to the Sidney, Nebr., omnirange station, including a south alternate. From the Grand Island, Nebr., omnirange station via the intersection of the Grand Island omnirange 099° and the Lincoln VORTAC 267° radials; Lincoln, Nebr., VORTAC; Neola, Iowa, omnirange station; to the Fort Dodge, Iowa, omnirange station.

33. Section 600.6143 is amended to read:

§ 600.6143 *VOR civil airway No. 143 (Charlotte, N. C., to Washington, D. C.)*. From the Charlotte, N. C., omnirange station via the Greensboro, N. C., omnirange station, including a west alternate via the intersection of the Charlotte omnirange 005° and the Greensboro omnirange 238° radials; Lynchburg, Va., omnirange station; Montebello, Va., omnirange station. From the Front Royal, Va., omnirange station to the point of intersection of the Martinsburg, W. Va., omnirange direct radial to the Washington, D. C., terminal omnirange station and the Herndon, Va., omnirange direct radial to the Harrisburg, Pa., omnirange station.

34. Section 600.6147 *VOR civil airway No. 147 (Philadelphia, Pa., to Rochester, N. Y.)* is amended by changing all after "Elmira, N. Y., omnirange station;" to read: "Elmira, N. Y., omnirange station; Geneseo, N. Y., omnirange station; Rochester, N. Y., omnirange station."

35. Section 600.6164 *VOR civil airway No. 164 (Buffalo, N. Y., to New York, N. Y.)* is amended by changing all before "Williamsport, Pa., omnirange station;" to read: "From the Buffalo, N. Y., omnirange station via the Wellsville, N. Y., omnirange station; Stonyfork, Pa., omnirange station; Williamsport, Pa., omnirange station;"

36. Section 600.6174 is amended to read:

§ 600.6174 *VOR civil airway No. 174 (Vichy, Mo., to Washington, D. C.)*. From the Vichy, Mo., omnirange station via the intersection of the Vichy omnirange 069° and the Troy omnirange 246° radials; Troy, Ill., omnirange station; Bible Grove, Ill., omnirange station; Scotland, Ind., omnirange station; Louisville, Ky., omnirange station; York, Ky., omnirange station; Henderson, W. Va., omnirange station; Elkins, W. Va., omnirange station; Front Royal, Va., omnirange station; intersection of the Front Royal omnirange 112° and the Washington terminal omnirange 245° radials; to the Washington, D. C., terminal omnirange station.

37. Section 600.6190 is amended to read:

§ 600.6190 *VOR civil airway No. 190 (Phoenix, Ariz., to Evansville, Ind.)*. From the Phoenix, Ariz., omnirange station via the St. Johns, Ariz., omnirange station; Grants, N. Mex., omnirange station; intersection of the Grants omnirange 067° and the Santa Fe omnirange 253° radials; Santa Fe, N. Mex., omnirange station; Las Vegas, N. Mex., omnirange station; Dalhart, Tex., omnirange station; Gage, Okla., omnirange station; intersection of the Gage omnirange 059° and the Ponca City omnirange 280° radials; Ponca City, Okla., omnirange station; intersection of the Ponca City omnirange 076° and the Springfield omnirange 261° radials; Springfield, Mo., omnirange station; Farmington, Mo., omnirange station; to the Evansville, Ind., omnirange station.

38. Section 600.6194 *VOR civil airway No. 194 (Lafayette, La., to Norfolk, Va.)* is amended by changing the portion which reads: "Charlotte, N. C., omnirange station; Raleigh, N. C., omnirange station; Rocky Mount, N. C., omnirange station, including a south alternate via the intersection of the Raleigh omnirange 116° and the Rocky Mount omnirange 237° radials; Cofield, N. C., omnirange station;" to read: "Charlotte, N. C., omnirange station; intersection of the Charlotte omnirange 067° and the Raleigh omnirange 240° radials; Raleigh, N. C., omnirange station; Rocky Mount, N. C., omnirange station, including a south alternate via the intersection of the Raleigh omnirange 121° and the Rocky Mount omnirange 237° radials; Cofield, N. C., omnirange station;"

39. Section 600.6214 is amended to read:

§ 600.6214 *VOR civil airway No. 214 (Troy, Ill., to Wheeling, W. Va.)*. From the Troy, Ill., omnirange station via the Bible Grove, Ill., omnirange station; Lewis, Ind., omnirange station; Shelbyville, Ind., omnirange station; point of intersection of the Cincinnati, Ohio, omnirange 004° and the Dayton, Ohio, omnirange 209° radials. From the Columbus, Ohio, Port Columbus Airport ILS localizer via the Zanesville, Ohio, omnirange station; point of intersection of the Parkersburg, W. Va., omnirange 006° and the Wheeling omnirange 252° radials; to the Wheeling, W. Va., omnirange station.

40. Section 600.6222 is amended by changing the caption to read: "VOR civil airway No. 222 (El Paso, Tex., to Gordonsville, Va.) and by changing all after "Hickory, N. C., omnirange station;" to read: "Hickory, N. C., omnirange station; Lynchburg, Va., omnirange station; Gordonsville, Va., omnirange station."

41. Section 600.6232 is amended to read:

§ 600.6232 *VOR civil airway No. 232 (Cleveland, Ohio, to Stroudsburg, Pa.)*. From the point of intersection of the Cleveland, Ohio, omnirange direct radial to the Jefferson, Ohio, omnirange station with the Chadron omnirange 280° radial via the Chadron, Ohio, omnirange station; Fitzgerald, Pa., omnirange station; Milton, Pa., omnirange station; to the Stroudsburg, Pa., omnirange station.

42. Section 600.6244 is amended to read:

§ 600.6244 *VOR civil airway No. 244 (Oakland, Calif., to Hanksville, Utah)*. From the Oakland, Calif., omnirange station via the intersection of the Oakland omnirange 078° and the Modesto omnirange 312° radials; Modesto, Calif., omnirange station; Coaldale, Nev., omnirange station; Tonopah, Nev., omnirange station; Milford, Utah, omnirange station; to the Hanksville, Utah, omnirange station.

43. Section 600.6250 is amended to read:

§ 600.6250 *VOR civil airway No. 250 (Imperial, Pa., to Fitzgerald, Pa.)*. From the Imperial, Pa., omnirange station via the Ellwood City, Pa., omnirange station, intersection of the Ellwood City omnirange 054° and the Fitzgerald omnirange 240° radials; to the Fitzgerald, Pa., omnirange station.

44. Section 600.6252 is amended to read:

§ 600.6252 *VOR civil airway No. 252 (Buffalo, N. Y., to New York, N. Y.)*. From the Buffalo, N. Y., omnirange station via the Geneseo, N. Y., omnirange station; Watkins Glen, N. Y., omnirange station; Binghamton, N. Y., omnirange station; point of intersection of the Binghamton omnirange 130° radial with the Wilkes-Barre-Scranton, Pa., omnirange direct radial to the point of intersection of the De Lancey, N. Y., omnirange 289° radial with the Binghamton, N. Y., omnirange direct radial to the Rockdale, N. Y., omnirange station; Huguenot, N. Y., omnirange station; to the point of intersection of the Wilkes-Barre-Scranton,

Pa., 117° and the Wilton, Conn., omnirange 240° radials.

45. Section 600.6260 is amended to read:

§ 600.6260 *VOR civil airway No. 260* (Charlotte, N. C., to Richmond, Va.). From the Charleston, W. Va., omnirange station via the Rainelle, W. Va., omnirange station; Roanoke, Va., terminal omnirange station; Lynchburg, Va., omnirange station; Flat Rock, Va., omnirange station to the Richmond, Va., radio range station.

46. Section 600.6297 is added to read:

§ 600.6297 *VOR civil airway No. 297* (Mansfield, Ohio, to Carleton, Mich.). From the Mansfield, Ohio, omnirange station via the Sandusky, Ohio, omnirange; point of intersection of the Waterville, Ohio, omnirange 058° and the Salem, Mich., omnirange 140° radials; intersection of the Carleton omnirange 117° and the Salem omnirange 140° radials; to the Carleton, Mich., omnirange station.

47. Section 600.6421 is amended to read:

§ 600.6421 *VOR civil airway No. 421* (Truth or Consequences, N. Mex., to Farmington, N. Mex.). From the Truth or Consequences, N. Mex., omnirange station via the St. Johns, Ariz., omnirange station; Zuni, N. Mex., omnirange station; to the Farmington, N. Mex., omnirange station.

48. Section 600.6614 *VOR civil airway No. 1514* (San Francisco, Calif., to New York, N. Y.) is amended by changing the portion which reads: "to the Modesto, Calif., omnirange station." to read: "Modesto, Calif., omnirange station; Coaldale, Nev., omnirange station; Tonopah, Nev., omnirange station; Milford, Utah, omnirange station; to the Hanks-ville, Utah, omnirange station."

49. Section 600.6616 *VOR civil airway No. 1516* (San Francisco, Calif., to Washington, D. C.) is amended by changing the portion which reads: "York, Ky., omnirange station; Elkins, W. Va., omnirange station;" to read: "York, Ky., omnirange station; Henderson, W. Va., omnirange station; Elkins, W. Va., omnirange station;"

50. Section 600.6620 *VOR civil airway No. 1520* (Los Angeles, Calif., to Washington, D. C.) is amended by changing the portion which reads: "to the Prescott, Ariz., omnirange station. From the Texico, N. Mex., omnirange station via the Childress, Tex., omnirange station;" to read: "Prescott, Ariz., omnirange station; St. Johns, Ariz., omnirange station; La Joya, N. Mex., omnirange station; Corona, N. Mex., omnirange station; the intersection of the Corona omnirange 080° and the Texico, N. Mex., omnirange 274° radials; Texico, N. Mex., omnirange station; Childress, Tex., omnirange station;" and by adding two last sentences to read: "The portion of this airway which lies within the geographic limits of, and between the designated altitudes of, the Melrose Restricted Area (R-529) is excluded during this restricted area's designated time of use. The portion of this airway below 15,000 feet mean sea

level, between the Corona, N. Mex., omnirange station and the Texico, N. Mex., omnirange station shall be used only after obtaining prior approval from Civil Aeronautics Administration Air Traffic Control, between sunrise and sunset."

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452)

This amendment shall become effective 0001 e. s. t. July 31, 1958.

[SEAL]

WILLIAM B. DAVIS,
Acting Administrator
of Civil Aeronautics.

JULY 1, 1958.

[F. R. Doc. 58-5239; Filed, July 9, 1958;
8:45 a. m.]

[Amdt. 12]

PART 601—DESIGNATION OF THE CONTI-
NENTAL CONTROL AREA, CONTROL AREAS,
CONTROL ZONES, REPORTING POINTS, AND
POSITIVE CONTROL ROUTE SEGMENTS

ALTERATIONS

The control area, control zone and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel, and are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required.

Part 601 is amended as follows:

1. Section 601.115 is added to read:

§ 601.115 *Amber civil airway No. 15* control areas (United States-Canadian Border to Annette Island, Alaska). All of Amber civil airway No. 15.

2. Section 601.211 is amended by changing the caption to read: "Red civil airway No. 11 control areas (Tulsa, Okla., to Boston, Mass.)."

3. Section 601.212 is amended to read:

§ 601.212 *Red civil airway No. 12* control areas (Joliet, Ill., to Detroit, Mich.). All of Red civil airway No. 12.

4. Section 601.257 is amended to read:

§ 601.257 *Red civil airway No. 57* control areas (Akron, Ohio, to Youngstown, Ohio). All of Red civil airway No. 57.

5. Section 601.277 is amended by changing the caption to read: "Red civil airway No. 77 control areas (Richmond, Va., to Atlantic City, N. J.)."

6. Section 601.670 is amended by changing the caption to read: "Blue civil airway No. 70 control areas (Waco, Tex., to Ardmore, Okla.)."

7. Section 601.672 *Blue civil airway No. 72* control areas (Enid, Okla., to Wichita, Kans.) is revoked.

8. Section 601.1076 *Control area extension* (Phoenix, Ariz.) is amended by adding the following portion to present control area extension: "the airspace northeast of Phoenix lying within a 25-mile radius of the Phoenix omnirange

station bounded on the west by VOR civil airway No. 95 and on the southeast by VOR civil airway No. 190."

9. Section 601.1080 *control area extension* (Louisville, Ky.) is amended by deleting the words which read: "excluding danger areas," and by adding the following sentence to the control area extension: "The portion of this control area extension which lies within the geographic limits of, and between the designated altitudes of, the Fort Knox restricted area R-64 is excluded during the restricted area's time of designation."

10. Section 601.1182 is amended to read:

§ 601.1182 *Control area extension* (Enid, Okla.). The airspace in the vicinity of Vance AFB, Enid, Okla., bounded on the north by VOR civil airway No. 190, on the east by Blue civil airway No. 5, on the south by VOR civil airway No. 140 and Red civil airway No. 59, and on the west by longitude 98°30'00".

11. Section 601.1204 *Control area extension* (Zuni, N. Mex.) is revoked.

12. Section 601.1204 is added to read:

§ 601.1204 *Control area extension* (El Morro, N. Mex.). Within 5 miles either side of the south course of the El Morro radio range extending from the radio range station to a point 25 miles south.

13. Section 601.1216 *Control area extension* (New Orleans, La.) is amended by changing the words which read: "bounded on the north by a direct line from the Belle Chasse, La., nondirectional radio beacon" to read: "bounded on the north by a direct line from the Navy New Orleans nondirectional radio beacon."

14. Section 601.1235 *Control area extension* (West Palm Beach, Fla.) is amended by changing the words which read: "below 2,000 feet" to read: "below 1,000 feet."

15. Section 601.1257 *Control area extension* (Goshen, Ind.) is amended by changing the words which read: "on the northeast by Red civil airway No. 57," to read: "on the northeast by VOR civil airway No. 30."

16. Section 601.1279 is amended to read:

§ 601.1279 *Control area extension* (Rapid City, S. Dak.). The airspace within a 25-mile radius of the Rapid City radio range station lying in the northwest and northeast quadrants of the radio range; the airspace southeast of Rapid City lying within a 55-nautical mile radius of the Rapid City omnirange station bounded on the north by VOR civil airway No. 26 and on the west by VOR civil airway No. 89 excluding the portion which lies within the geographic limits of, and between the designated altitudes of, the Scenic restricted area (R-190) during the restricted area's time of designation.

17. Section 601.1291 is amended to read:

§ 601.1291 *Control area extension* (Garden City, Kans.). The airspace lying within a 25-mile radius of the New

Garden City Municipal Airport, Garden City, Kans.

18. Section 601.1431 *Control area extension (Bozeman, Mont.)* is revoked.

19. Section 601.1984 *Five mile radius zones* is amended by deleting the following airport: Lynchburg, Va.: Preston Glenn Airport.

20. Section 601.2050 is amended to read:

§ 601.2050 *Garden City, Kans., control zone.* Within a 5-mile radius of the New Garden City Municipal Airport, within 2 miles either side of the north course of the Garden City radio range extending from the radio range to a point 12 miles north, within 2 miles either side of a line bearing 144° True extending from the radio range station to the airport, and within 2 miles either side of the 005°, 024°, 121°, 167°, 253° and 322° True radials of the Garden City omnirange extending to points 12 miles from the omnirange station.

21. Section 601.2258 is amended to read:

§ 601.2258 *Wichita Falls, Tex., control zone.* Within a 5-mile radius of Shepherd AFB, Wichita Falls, Tex., within 2 miles either side of the southeast course of the Wichita Falls radio range extending from the radio range station to the Jolly fan marker, and within 2 miles either side of the Wichita Falls omnirange 274° True radial extending from the 5-mile radius zone to a point 10 miles west of the omnirange station.

22. Section 601.2426 is added to read:

§ 601.2426 *Lynchburg, Va., control zone.* Within a 5-mile radius of Preston Glenn Airport, Lynchburg, Va., within 2 miles either side of the 21° and 201° True radials of the Lynchburg omnirange extending from the 5-mile radius zone to a point 10 miles southwest of the omnirange station, and within 2 miles either side of the southeast course of the Lynchburg radio range extending from the radio range station to a point 10 miles southeast of the Oak Grove fan marker.

23. Section 601.2427 is added to read:

§ 601.2427 *Champaign, Ill., control zone.* Within a 5-mile radius of University of Illinois Field, Champaign, Ill., and within 2 miles either side of the 120°, 199°, 238° and 347° True radials of the Champaign omnirange extending from the omnirange station to points 12 miles southeast, south, southwest and north of the omnirange station.

24. Section 601.2428 is added to read:

§ 601.2428 *Butler, Pa., control zone.* Within a 3-mile radius centered on the Butler Airport and within 2 miles either side of the 083° and 263° True radials of the Butler omnirange extending from the 3-mile radius zone to a point 12 miles west of the omnirange station.

25. Section 601.2429 is added to read:

§ 601.2429 *Vandalia, Ill., control zone.* Within a 3-mile radius centered on Vandalia Airport and within 2 miles

either side of the 003° and 183° True radials of the Vandalia omnirange extending from the 3-mile radius zone to points 12 miles north and 20 miles south of the omnirange station.

26. Section 601.2430 is added to read:

§ 601.2430 *Emporia, Kans., control zone.* Within a 3-mile radius centered on the Emporia Airport and within 2 miles either side of the 134° True radial of the Emporia omnirange extending from the 3-mile radius zone to a point 12 miles southeast of the omnirange station.

27. Section 601.2431 is added to read:

§ 601.2431 *Russell, Kans., control zone.* Within a 3-mile radius centered on Russell Airport and within 2 miles either side of the 007° True radial of the Russell omnirange extending from the 3-mile radius zone to a point 12 miles north of the omnirange station.

28. Section 601.2432 is added to read:

§ 601.2432 *Lamoni, Iowa, control zone.* Within a 3-mile radius centered on Lamoni Airport and within 2 miles either side of the 166° True radial of the Lamoni omnirange extending from the 3-mile radius zone to a point 12 miles south of the omnirange station.

29. Section 601.2433 is added to read:

§ 601.2433 *Philip, S. Dak., control zone.* Within a 3-mile radius centered on Philip Airport and within 2 miles either side of the 278° True radial of the Philip omnirange extending from the 3-mile radius zone to a point 12 miles west of the omnirange station.

30. Section 601.2434 is added to read:

§ 601.2434 *Sidney, Nebr., control zone.* Within a 3-mile radius centered on Sidney Airport and within 2 miles either side of the 079° and 259° True radials of the Sidney omnirange extending from the 3-mile radius zone to a point 12 miles west of the omnirange station.

31. Section 601.4014 *Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.)* is amended by changing the name "Zuni, N. Mex., radio range station;" to read: "El Morro, N. Mex., radio range station;"

32. Section 601.4108 *Amber civil airway No. 8 (Los Angeles, Calif., to Ellensburg, Wash.)* is amended by changing the reporting point which reads: "the intersection of the southwest course of the Travis AFB, Calif., radio range and a line bearing 309° True from the San Francisco Gap, Calif., nondirectional radio beacon;" to read: "the intersection of the southwest course of the Travis AFB, Calif., radio range with a line bearing 296° True from the San Francisco Gap, Calif., nondirectional radio beacon and the 303° True radial of the San Francisco terminal omnirange."

33. Section 601.4115 is added to read:

§ 601.4115 *Amber civil airway No. 15 (United States-Canadian Border to Annette Island, Alaska).* No reporting point designation.

34. Section 601.4211 is amended by changing the caption to read: "Red civil

airway No. 11 (Tulsa, Okla., to Boston, Mass.)."

35. Section 601.4212 is amended by changing the caption to read: "Red civil airway No. 12 (Joliet, Ill., to Detroit, Mich.)." and by revoking the reporting point which reads: "Erie, Pa., radio range station."

36. Section 601.4257 is amended to read:

§ 601.4257 *Red civil airway No. 57 (Akron, Ohio, to Youngstown, Ohio).* No reporting point designation.

37. Section 601.4277 is amended by changing the caption to read: "Red civil airway No. 77 (Richmond, Va., to Atlantic City, N. J.)."

38. Section 601.4642 is amended to read:

§ 601.4642 *Blue civil airway No. 42 (Goshen, Ind., to Saginaw, Mich.).* Battle Creek, Mich., radio range station.

39. Section 601.4670 is amended by changing the caption to read: "Blue civil airway No. 70 (Waco, Tex., to Ardmore, Okla.)."

40. Section 601.4672 *Blue civil airway No. 72 (Enid, Okla., to Wichita, Kans.)* is revoked.

41. Section 601.4101 *Amber civil airway No. 1 (United States-Mexican Border to Nome, Alaska)*, is amended after "Fresno, Calif., radio range station;" by adding the following reporting point: "the intersection of the northwest course of the Fresno, Calif., radio range and the northeast course of the Castle AFB radio range, Merced, Calif.;"

42. Section 601.6003 is amended to read:

§ 601.6003 *VOR civil airway No. 3 control areas (Key West, Fla., to Presque Isle, Maine).* All of VOR civil airway No. 3 including east alternates and a west alternate, but excluding all the airspace between the main airway and its east alternate extending from Florence, S. C., omnirange station to the Raleigh, N. C., omnirange station.

43. Section 601.6040 is amended to read:

§ 601.6040 *VOR civil airway No. 40 (Bergholz, Ohio, to Johnstown, Pa.).* All of VOR civil airway No. 40.

44. Section 601.6084 is amended to read:

§ 601.6084 *VOR civil airway No. 84 control areas (Shabbona, Ill., to Syracuse, N. Y.).* All of VOR civil airway No. 84.

45. Section 601.6103 is amended to read:

§ 601.6103 *VOR civil airway No. 103 control areas (Greensboro, N. C., to Windsor, Ontario).* All of VOR civil airway No. 103.

46. Section 601.6119 is amended to read:

§ 601.6119 *VOR civil airway No. 119 control areas (Huntington, W. Va., to Rochester, N. Y.).* All of VOR civil airway No. 119.

47. Section 601.6135 is amended to read:

§ 601.6135 VOR civil airway No. 135 control areas (Yuma, Ariz., to Tonopah, Nev.). All of VOR civil airway No. 135.

48. Section 601.6190 is amended to read:

§ 601.6190 VOR civil airway No. 190 control areas (Phoenix, Ariz., to Grants, N. Mex.). All of VOR civil airway No. 190.

49. Section 601.6214 is amended to read:

§ 601.6214 VOR civil airway No. 214 control areas (Troy, Ill., to Wheeling, W. Va.). All of VOR civil airway No. 214.

50. Section 601.6222 is amended to read:

§ 601.6222 VOR civil airway No. 222 control areas (El Paso, Tex., to Gordonsville, Va.). All of VOR civil airway No. 222.

51. Section 601.6232 is amended to read:

§ 601.6232 VOR civil airway No. 232 control areas (Cleveland, Ohio, to Stroudsburg, Pa.). All of VOR civil airway No. 232.

52. Section 601.6244 is amended to read:

§ 601.6244 VOR civil airway No. 244 control areas (Oakland, Calif., to Hanks-ville, Utah). All of VOR civil airway No. 244.

53. Section 601.6250 is amended to read:

§ 601.6250 VOR civil airway No. 250 control areas (Imperial, Pa., to Fitzgerald, Pa.). All of VOR civil airway No. 250.

54. Section 601.6252 is amended to read:

§ 601.6252 VOR civil airway No. 252 control areas (Buffalo, N. Y., to New York, N. Y.). All of VOR civil airway No. 252.

55. Section 601.6260 is amended to read:

§ 601.6260 VOR civil airway No. 260 control areas (Charlotte, N. C., to Richmond, Va.). All of VOR civil airway No. 260.

56. Section 601.6297 is added to read:

§ 601.6297 VOR civil airway No. 297 control areas (Mansfield, Ohio, to Carleton, Mich.). All of VOR civil airway No. 297.

57. Section 601.6421 is amended to read:

§ 601.6421 VOR civil airway No. 421 control areas (Truth or Consequences, N. Mex., to Farmington, N. Mex.). All of VOR civil airway No. 421.

58. Section 601.7001 VOR domestic reporting points is amended by changing the following reporting points to read:

Belle Glade Intersection: The intersection of the Miami, Fla., omnirange 344° T and the Vero Beach, Fla., omnirange 191° T radials.

Farina Intersection: The intersection of the Vandalla, Ill., omnirange 136° T and the Bible Grove, Ill., omnirange 261° T radials.

Moncure Intersection: The intersection of the Raleigh, N. C., omnirange 220° T and the Greensboro, N. C., omnirange 122° T radials.

Palestine Intersection: The intersection of the Imperial, Pa., omnirange 326° T and the Wheeling, W. Va., omnirange 003° T radials.

Pinehurst Intersection: The intersection of the Raleigh, N. C., omnirange 220° T and the Florence, S. C., omnirange 008° T radials.

Power Point Intersection: The intersection of the Imperial, Pa., omnirange 305° T and the Youngstown, Ohio, omnirange 186° T radials.

and by adding the following reporting point:

Goffs, Calif., omnirange station.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t. July 31, 1958.

[SEAL]

WILLIAM B. DAVIS,
Acting Administrator
of Civil Aeronautics.

JULY 1, 1958.

[F. R. Doc. 58-5240; Filed, July 9, 1958; 8:46 a. m.]

[Amdt. 227]

PART 608—RESTRICTED AREAS ALTERATIONS.

The restricted area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel, and are adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

1. In § 608.19, the Fort Gordon (formerly Camp Gordon), Georgia, area (R-124) amended on November 15, 1955 in 20 F. R. 8470, is further amended by changing the "Time of designation" column to read: "0700 to 1900 daily."

2. In § 608.26, the Camp Clairborne, Louisiana, area (R-431) amended on February 2, 1954 in 19 F. R. 549, is further amended by changing the "Designated altitudes" column to read: "30,000 feet mean sea level," by changing the "Time of designation" column to read: "0600 to 1800 local time only during VFR weather conditions," and by changing the heading of the "Using agency" column to read: "Controlling agency" and that agency to read: "Commander, Eng-land AFB, Louisiana."

3. In § 608.32, the Black Creek, Mississippi, area (R-451) amended on May 25, 1955, in 20 F. R. 3651, is further amended by changing the heading of the "Time of use" column to read: "Time of designation" and that time to read:

"0600-2300, daily, January through August, annually" and by changing the "Controlling agency" column to read: "Air National Guard, Jackson, Mississippi."

4. In § 608.32, the Gulfport, Mississippi, area (R-452) amended on August 18, 1955, in 20 F. R. 6008, is further amended by changing the "Designated altitudes" column to read: "50,000 feet mean sea level," by changing the "Time of designation" column to read: "Continuous" and by changing the heading of the "Using agency" column to read: "Controlling agency" and that agency to read: "Commander of Air National Guard Training Site, Gulfport Municipal Airport, Gulfport, Mississippi."

5. In § 608.39, the Guadalupe Mountains, New Mexico, area (R-212) amended on April 12, 1956, in 21 F. R. 2373, is further amended by changing the "Description by geographical coordinates" column to read: "Beginning at latitude 32°18'00", longitude 104°55'00"; thence to latitude 32°06'45", longitude 104°55'00"; thence to latitude 32°06'45", longitude 105°25'30"; thence to latitude 32°13'30", longitude 105°25'30"; thence to latitude 32°18'00", longitude 105°20'00"; thence to point of beginning."

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on July 28, 1958.

[SEAL]

WILLIAM B. DAVIS,
Acting Administrator
of Civil Aeronautics.

JULY 1, 1958.

[F. R. Doc. 58-5241; Filed, July 9, 1958; 8:46 a. m.]

[Amdt. 77]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

Section 609.3 (d) *Explanation of terms*, was incorrectly republished in the Revision of Part 609 on July 12, 1957 (22 F. R. 5201) by the omission of the word "radials" and the insertion of the word "distances" in lieu of "headings." This amendment corrects these errors.

Inasmuch as this amendment is corrective in nature and imposes no additional burden on any person, compliance with the notice, procedure, and effective date provisions of the Administrative Procedure Act is unnecessary and not required.

Section 609.3 (d) is amended to read as follows:

§ 609.3 *Explanation of terms.* * * *

(d) "Courses," "bearings," "headings," and "radials" are stated in degrees magnetic.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL]

WILLIAM B. DAVIS,
Acting Administrator
of Civil Aeronautics.

JULY 1, 1958.

[F. R. Doc. 58-5242; Filed, July 9, 1958; 8:46 a. m.]

[Amdt. 78]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedures appearing hereinafter are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

NOTE: Where the general classification (L/MFR, ADF, VOR, TerVOR, VOR/DME, ILS, or RADAR), location, and procedure number (if any) of any procedure in the amendments which follow, are identical with an existing procedure, that procedure is to be substituted for the existing one, as of the effective date given, to the extent that it differs from the existing procedure; where a procedure is cancelled, the existing procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended.

1. The low or medium frequency range procedures prescribed in § 609.100 (a) are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Birmingham VOR.....	BHM-LFR.....	Direct.....	2000	T-dn.....	300-1	300-1	*300-1
Eden FM.....	BHM-LFR.....	Direct.....	2000	C-dn.....	800-1	900-1	900-1½
				A-dn.....	1000-2	1000-2	1000-2

*200-1½ authorized Rwy 23 only.

Procedure turn W side N crs, 358 Outbd, 178 Inbd, 2000' within 10 mi.

Minimum altitude over facility on final approach crs, 2000'.

Crs and distance, facility to airport, 178-2.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.6 mi, climb to 2000' on S crs BHM-LFR within 20 mi.

AIR CARRIER NOTE: No reduction in minimums authorized.

MAJOR CHANGE: Delete any reference to Bradford FM.

City, Birmingham; State, Ala.; Airport Name, Municipal; Elev., 643'; Fac. Class, SBRAZ; Ident., BHM; Procedure No. 1, Amdt. 8; Eff. Date, 2 Aug. 58; Sup. Amdt. No. 7; Dated, 9 Feb. 57.

MIA VORTAC.....	MIA-LFR.....	Direct.....	1300	T-dn.....	300-1	300-1	200-1½
BSY VORTAC.....	MIA-LFR.....	Direct.....	1400	C-dn.....	400-1	500-1	500-1½
Krome Int.....	MIA-LFR (Final).....	Direct.....	600	S-dn-GR-L.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn *N side W crs, 275° Outbd, 065° Inbd, 1100' within 10 mi.

*Procedure turn nonstandard to avoid traffic vicinity Tamiami Airport.

Minimum altitude over facility on final approach crs, 600'.

Crs and distance, facility to airport, Rwy 9-R, 086-4.9; Rwy 9-L, 077-5.2.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.9 miles, climb to 1400' on E crs within 20 miles.

City, Miami; State, Fla.; Airport Name, International; Elev., 9'; Fac. Class, SBRAZ; Ident., MIA; Procedure No. 1, Amdt. 13; Eff. Date, 2 Aug. 58; Sup. Amdt. No. 12; Dated, 4 June 55.

2. The automatic direction finding procedures prescribed in § 609.100 (b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
El Dorado VOR.....	ELD-RBN.....	Direct.....	1000	T-dn.....	300-1	300-1	200-1½
				C-dn.....	600-1	600-1	600-1½
				A-dn.....	800-2	800-2	800-2

Procedure turn W side crs, 310 Outbd, 130 Inbd, 1400' within 10 miles. Beyond 10 miles NA.

Minimum altitude over facility on final approach crs, 900'.

Facility on airport.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, climb to 1900' on crs of 130 within 20 miles.

MAJOR CHANGE: Delete Caution Note.

City, El Dorado; State, Ark.; Airport Name, Goodwin Field; Elev., 277'; Fac. Class, RBN; Ident., ELD; Procedure No. 1, Amdt. 3; Eff. Date, 2 Aug. 58; Sup. Amdt. No. 2; Dated, 20 July 55.

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Greenville LFR.....	LOM.....	Direct.....	2300	T-dn.....	300-1	300-1	200-1½
Reedy Int.....	LOM (Final).....	Direct.....	1600	C-dn.....	300-1	300-1	300-1½
Honea Int.....	LOM.....	Direct.....	2200	S-dn.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn W side S crs, 181° Outbnd, 001 Inbnd, 2200' within 10 mi.

Minimum altitude over LOM inbnd final, 1600'.

Distance to appr end of rwy at OM, 3.6; at MM, 0.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 miles after passing LOM, climb to 3200' on N crs GRL LFR within 10 miles, turn right and return to LOM or, when directed by ATC, climb to 4000' on N crs LFR within 13 miles, turn right and return to LFR.

CAUTION: Heavily obstructed missed approach area.

City, Greenville; State, S. C.; Airport Name, Greenville; Elev., 1049'; Fac. Class, LOM; Ident., GR; Procedure No. 1, Amdt. Orig.; Eff. Date, 2 Aug. 58

Minneapolis LFR.....	LOM.....	Direct.....	2200	T-dn.....	300-1	300-1	200-1½
Minneapolis VOR.....	LOM.....	Direct.....	2500	C-dn.....	300-1	300-1	300-1½
Jordan FM.....	LOM.....	Direct.....	2200	S-dn-29L.....	400-1	400-1	400-1
Houlton Int.....	LOM.....	Direct.....	2300	A-dn.....	800-2	800-2	800-2
Lakeville Int.....	LOM.....	Direct.....	2200				
Prior Int.....	LOM.....	Direct.....	2200				
White Bear Int.....	LOM.....	Direct.....	2500				
Elmo Int.....	LOM.....	Direct.....	2300				
Cannon Falls Int.....	LOM.....	Direct.....	2400				
Stanton RBN.....	LOM.....	Direct.....	2200				
Hastings FM.....	LOM (Final).....	Direct.....	1700				
Radar Transitions as directed by ATC.....	Radar site.....	Within 20 mi.....	2500				

Procedure turn East side of crs, 115° Outbnd, 295° Inbnd, 2200' within 10 miles.

Minimum altitude over facility on final approach crs, 1700'.

Crs and distance, facility to airport, 295°—4.0 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 miles of LOM, climb to 2500' on crs of 295° to Int. R-221 MSP-VOR and NW ILS crs or, when directed by ATC: 1. Make left climbing turn, climb to 2500' on crs of 241° within 22 miles. 2. Make left climbing turn, climb to 2200' feet and return to LOM.

CAUTION: Tower 1223' MSL 3 miles West of Hastings FM.

City, Minneapolis; State, Minn.; Airport Name, Minneapolis-St. Paul Int'l. (Wold-Chamberlain); Elev., 840'; Fac. Class, LOM; Ident., MS; Procedure No. 1, Amdt. 1; Eff. Date, 2 Aug. 58; Sup. Amdt. No. Orig.; Dated, 21 June 58

3. The very high frequency omnirange (VOR) procedures prescribed in § 609.100 (c) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
El Dorado RBN.....	ELD-VOR.....	Direct.....	1600	T-dn.....	300-1	300-1	200-1½
				C-dn.....	400-1	300-1	300-1½
				S-22-dn.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn N side of crs, 030 Outbnd, 210 Inbnd, 1400' within 10 mi. Beyond 10 mi NA.

Minimum altitude over facility on final approach crs, 900'.

Crs and distance, facility to airport, 210—3.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 mi, climb to 1400' on R-210 within 20 mi.

MAJOR CHANGE: Delete Caution Note.

City, El Dorado; State, Ark.; Airport Name, Goodwin Field; Elev., 277'; Fac. Class, BVOR; Ident., ELD; Procedure No. 1, Amdt. 5; Eff. Date, 2 Aug. 58; Sup. Amdt. No. 4; Dated, 15 Jan. 55

Fort Sill Int.....	LAW-VOR.....	Direct.....	2700	T-dn.....	300-1	300-1	200-1½
				C-dn.....	400-1	300-1	300-1½
				S-dn-35.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Teardrop procedure turn, 140 Outbnd, 347 Inbnd, 2200' within 10 miles. Beyond 10 miles NA.

Minimum altitude over facility on final approach crs, 1700'.

Crs and distance, facility to airport, 347—4.2.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles, turn left and climb to 2200' on R 186 within 20 miles.

NOTE: Communications and weather service not available to general public. Voice on VOR controlled by Army Tower Post Field.

AIR CARRIER NOTE: Procedure may be authorized only for carriers having approval of their arrangements for communications and weather service at this airport.

City, Lawton; State, Okla.; Airport Name, Municipal; Elev., 1108'; Fac. Class, BVOR; Ident., LAW; Procedure No. 1; Amdt. 4; Eff. Date, 2 Aug. 58; Sup. Amdt. No. 3; Dated, 23 Nov. 57

4. The instrument landing system procedures prescribed in § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Greenville LFR	LOM	Direct	2300	T-dn	300-1	300-1	200-14
Reedy Int	LOM (Final)	Direct	2300	C-dn	500-1	500-1	300-14
Houma Int	LOM	Direct	2300	S-dn 36*	300-14	300-14	300-14
				A-dn ILS	600-2	600-2	600-2

*No approach lights, 400-14 required when glide slope not utilized. Procedure turn W side S crs, 181 Outbnd, 601 Inbnd, 2300' within 10 miles.

Minimum altitude at G. S. Int Inbnd, 2300'.

Altitude of G. S. and distance to app end of rwy at OM 2188-3.6, at MM 1213-0.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 3.6 miles after passing LOM, climb to "5000" on R-190 AVL-VOR and hold south of Tigerville Int or, when directed by ATC, climb to 3200' on N crs ILS (001) within 10 mi, turn right and return to LOM.

CAUTION: Maximum angle glide slope, heavily obstructed missed approach area.

City, Greenville; State, S. C.; Airport Name, Greenville; Elev., 1649'; Fac. Class, ILS-IGRL; Ident., LOM-GR; Procedure No. ILS-36, Amdt. 4; Eff. Date, 2 Aug 58; Sup. Amdt. No. 3; Dated, 6 July 57

These procedures shall become effective on the dates indicated on the procedures.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL]

WILLIAM B. DAVIS,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 58-5072; Filed, July 9, 1958; 9:13 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 90—TABLE OF CHARGES AT THE MINTS AND ASSAY OFFICES OF THE UNITED STATES¹

The Bureau of the Mint finds that it is necessary, because of increased costs of labor and material, to revise its Table of Charges for various services performed by the Mint. It also finds that notice and public procedure thereon is impracticable, unnecessary and contrary to the public interest because such revisions are required by statutes (R. S. 3524, as amended (31 U. S. C. 332); R. S. 3546 (31 U. S. C. 360)) which require the Director of the Mint, with the concurrence of the Secretary of the Treasury, to fix mint charges so as to equal but not exceed, in their judgment, the actual average cost to each mint and assay office of the material, labor, wastage, and use of machinery employed. Accordingly, Part 90, Chapter I, Title 31 of the Code of Federal Regulations of the United States of America, is hereby revised to read as follows:

- Sec.
90.1 Melting charge.
90.2 Eligibility, withdrawal and rejection of deposits.
90.3 Parting and refining charge.
90.4 Bar charges.
90.5 Assays of gold or silver bullion or jewelry free from platinum group metals.

- Sec.
90.6 Assays of plated and filled goods (over 800 base metal) and white gold free from platinum group metals.
90.7 Assays of ores.
90.8 Assaying and stamping charges.
90.9 General provision.

AUTHORITY: §§ 90.1 to 90.9 issued under R. S. 3524, as amended, R. S. 3546; 31 U. S. C. 332, 360.

§ 90.1 *Melting charge.* (a) On each deposit of bullion a melting charge of \$3.00 shall be imposed for the first 1,000 gross troy ounces or fraction thereof, and 30 cents additional for each 100 ounces or fraction thereof in excess of 1,000 ounces, computed on the after-melting weight: *Provided:* That no melting charge shall be imposed on deposits consisting of uncurrent United States coin or unutilized stamped United States mint bars; on silver bullion free from gold, of the fineness of 999 thousandths or over when received in conformity with official regulations for monetary purposes and when a satisfactory assay can be obtained without melting; or on newly mined domestic silver bullion free from gold, received under the authorization of 31 U. S. C. 316c, 316d. Deposits of newly mined domestic silver bullion containing not less than $\frac{1}{4}$ thousandths of gold shall be subject to the same melting charges as gold deposits; such charges as may exceed the value of the gold in the deposit shall be waived.

(b) When the melting loss exceeds 15 percent, an additional charge of \$1.80 for each deposit shall be imposed when the deposit weighs 100 gross troy ounces or less; on deposits weighing over 100 ounces the charge shall be \$1.80 for the first 100 ounces and 55 cents for each 100 ounces or fraction in excess of 100 ounces. Such additional charge shall be computed on the before melting weight of the deposit.

(c) On each deposit containing white gold alloys, as determined by the assayer, an extra melting charge of \$1.80 for each 100 gross troy ounces or fraction thereof shall be imposed. Such additional charge shall be computed on the before melting weight of the deposit.

(d) Deposits which fail to give concordant assays and those requiring an excessive amount of treatment, shall, at the discretion of the officer in charge of the Mint institution, be subject to an additional charge equal to the cost to the Government for additional fuel, labor, and materials used in melting and treatment, as well as in remelting and retreatment, if necessary, by the deposit melter. Impure deposits which fail to give concordant assays on dip samples from the second melting shall be rejected, subject to the provisions of § 90.2. The expenses incurred in treatment shall be collected. When such costs are assessed the charge set forth in paragraph (b) of this section shall not be made.

§ 90.2 *Eligibility, withdrawal and rejection of deposits.* (a) A gold deposit must contain one troy ounce of fine gold, at least 100 parts of gold in 1,000, and not less than 200 parts of gold or gold and silver combined in 1,000. If the deposit fails to meet these requirements or if the report of the assayer indicates it to be unsuitable for mint operations, it shall not be purchased. Deposits are not accepted in Washington, D. C.

(b) Gold, contained in deposits of silver eligible for receipt at a mint for return in bar form, may be purchased by the mints; Such deposits, however, must contain not less than 600 parts of silver in 1,000 and not more than 99 parts of gold in 1,000.

(c) If otherwise permissible,² deposits may be withdrawn by depositors at any time before payment is tendered therefor.

¹ Coinage mints are located at Philadelphia, Pa.; San Francisco, Calif.; and Denver, Colo. A United States Assay Office is located at New York, N. Y. No deposits are accepted at the Office of the Director of the Mint in Washington, D. C.

and thereafter at the option of the officer in charge of the mint or assay office, subject to payment in cash of such charges for melting, etc., as have been incurred up to the time of withdrawal.

(d) Rejected deposits are subject to payment in cash of such charges as have been incurred up to time of rejection and should be returned to the depositor unless the metal may not be received by the depositor.² If the depositor may not receive the metal, the deposit will be held for delivery at his request and for his account, and by authorization of the Director of the Mint, to a person authorized to receive such metal.

§ 90.3 *Parting and refining charge (rate per gross troy ounces or fraction).*

CLASS A—BULLION CONTAINING GOLD

Base content (thousandths)	Gold content (thousandths)		
	Up to 250	250½ to 500	500½ to 999½
Up to 50.....	2	4	9
Over 50 to 150.....	3	5	10
Over 150 to 250.....	4	6	11
Over 250 to 350.....	5	7	12
Over 350 to 450.....	6	8	13
Over 450 to 550.....	7	9	14
Over 550 to 650.....	8	10	15
Over 650 to 750.....	9	11	16
Over 750 to 850.....	10	12	17
Over 850 to 950.....	11	13	18
Over 950 to 999.....	12	14	19
Base content disregarded.....	(1)	(1)	4
Base content disregarded.....	(2)	(2)	0

¹ Gold content 950 to 999½.
² Gold content 999 and over.

CLASS B—SILVER BULLION FREE FROM GOLD
 (Received for exchange for silver bars, under R. S. 3546 (31 U. S. C. 360); purchased under the Silver Purchase Act (31 U. S. C. 311a, 316b, 405a, 448-448e, 734a, 734b), or purchased for subsidiary silver coinage under R. S. 3526 (31 U. S. C. 335))

Silver content:	Charge (cents)
600 thousandths or less.....	9
600½ to 850 thousandths.....	7
850½ to 999½ thousandths.....	2

CLASS C—MISCELLANEOUS

Upon gold bullion from 899 to 917 thousandths fine, having but one precious metal present and having base content of good copper, including foreign coins and domestic mutilated or uncurrent coin, a refining charge will be imposed only when payment is to be made in fine bars, in which case a charge of 10 cents per gross ounce, or fraction, will be imposed. Domestic gold coins will be received only in accordance with the provisions of § 92.1 of this chapter.

No refining charge will be imposed on domestic mutilated or uncurrent silver coin received in accordance with Part 100 of this chapter.

No refining charge will be imposed on newly mined domestic silver bullion free from gold. Deposits of newly mined domestic silver bullion containing not less than ¼ thousandths of gold shall be subject to the same refining charges as gold deposits; such charges as may exceed, after deduction of the melting charge, the value of the gold in the deposit, shall be waived.

When bullion contains less than one-fourth thousandth of gold or less than 8 thousandths of silver, the gold or silver content respectively shall not be reported for the benefit of the depositor.

² See § 90.2.

Gold coin containing 8 thousandths or over of silver acquires the status of bullion as regards charges and is subject to the appropriate charge for refining.

§ 90.4 *Bar charges—(a) Charges on gold bars issued in exchange for gold bullion.* (1) When payment in gold bars is requested without specification as to size, no bar charge will be imposed; except that when fine gold bullion of 0.999 or higher fineness is deposited in exchange for Government-stamped bars, a bar charge of 7 cents per \$100 value of bars issued will be made; and with the further exception that when fineness of 999.9 is requested and available, a charge of 19 cents per \$100 value of bars issued will be made.

(2) When special size bars are requested and are available, the bar charges will be:

Bar sizes (gross troy ounces):	Rate per \$100 value (cents)
Large, over 50 ounces.....	7
Medium, 25 to 50 ounces.....	9
Small, below 25 but not less than 15 ounces.....	11
Special, below 15 but not less than 5 ounces.....	13

(b) *Charges on silver bars (0.999 or higher fineness) issued in exchange for silver bullion.* No bar charges are imposed except when special size bars are requested and are available, in which case the bar charges will be:

Bar sizes:	Rate per gross troy ounce (cents)
Not less than 500 ounces.....	¼
Between 125 and 500 ounces.....	½
125 ounces or less.....	1
No charge will be imposed on 1,000 ounce bars.	

(c) *Charges on gold bars sold.* (1) Gold bars may be sold only in lots of not less than 25 fine troy ounces and only when of a fineness of 899 thousandths or above.

(2) No bar charge will be imposed on any gold bars of a fineness below 999 thousandths when particular sizes or finenesses are not requested.

(3) The following bar charges will be made for bars of a fineness of 999 thousandths or above, for bars of particular fineness, and for bars of particular sizes, when any of such bars are requested and available:

Fineness (thousandths)	Bar sizes (gross troy ounces)	Rate per \$100 value
999 and above, but below 999.9; also below 999 when particular sizes or finenesses are requested.	Large, over 50 ounces.....	7
	Medium, 25 to 50 ounces.....	9
	Small, below 25 ounces but not less than 15 ounces.....	11
	Special, below 15 but not less than 5 ounces.....	13
999.9.....	Any size.....	19

(d) *Charges on silver bars sold.* No bar charges are imposed on 1,000 ounce silver bars, sold in accordance with 31 U. S. C. 316d, and the Regulations issued thereunder. (Section 92.20 of this chapter.)

§ 90.5 *Assays of gold or silver bullion or jewelry free from platinum group metals.*

	Charge
Gold.....	\$6.00
Silver.....	6.00
Gold and Silver (same sample).....	10.00

An extra charge of \$3.00 for each assay of gold or silver will be imposed when the sample contains any of the platinum group metals.

§ 90.6 *Assays of plated and filled goods (over 800 base metal) and white gold free from platinum group metals.*

	Charge
Gold.....	\$7.00
Silver.....	7.00

An extra charge of \$3.00 for each assay of gold or silver will be imposed when the sample contains any of the platinum group metals.

§ 90.7 *Assays of ores.* Assays of ores will be made at the United States Mint at Denver, Colorado. The charge for each metal determined will be:

	Charge
Gold.....	\$2.50
Silver.....	2.50
Gold and Silver (same sample).....	4.00
Lead.....	4.50
Zinc.....	4.50
Copper.....	4.00

§ 90.8 *Assaying and stamping charges.* On bullion deposited for the purpose of receiving the Government assay and stamp the melting and assay charges above specified shall be imposed.

§ 90.9 *General provision.* Nothing in this part provided shall be applied in a manner inconsistent with, or deemed to amend, modify, or repeal, any acts, orders, proclamations, regulations, or instructions, relating to gold or silver.

This revision shall become effective August 1, 1958.

[SEAL]

W. H. BRETT,
 Director of the Mint.

Approved:

LAURENCE B. ROBBINS,
 Acting Secretary of
 the Treasury.

[F. R. Doc. 58-5276; Filed, July 9, 1958;
 8:51 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 22—SECOND CLASS

The proposed amendments to § 22.4 published in the FEDERAL REGISTER of May 9, 1958, at page 3103 (23 F. R. 3103) are hereby adopted as regulations of the Post Office Department, as set forth below.

* Sections 54.44 and 54.52 of this chapter set forth the purchase and sale price of gold purchased and sold to the United States Mints and Assay Office under Subparts F and G of the Gold Regulations (§§ 54.35, 54.44, 54.51, 54.52 of this chapter). The one-fourth of one percent charge referred to therein shall be in addition to all other mint charges in connection with purchases or sales of gold by the United States.

In § 22.4 What may be mailed at second-class rates amend paragraph (i) to read as follows:

(i) *Advertisements.* All advertisements in periodicals must be permanently attached. Page numbers are not required in periodicals, but when numbers are not carried on pages of advertisements and the other pages carry numbers, whole numbers in sequence must be allowed for the pages of advertisements. When pages of advertisements carry page numbers, the other pages must also be numbered, and the advertisement page numbers must be either whole numbers in sequence with the numbers on the other pages or the whole number of the last preceding page with alphabetical suffixes in sequence beginning with the letter "A." Independent publications may not be inserted in periodicals as advertisements. The physical make-up of advertisements may include such features as the following:

(1) Different advertisements may occupy the same space in different copies of the same issue.

(2) Pages of advertisements may not be smaller than 1/8 of the size of the regular pages when they include coupons or application or order forms occupying one-half or less of the page as permitted by paragraph (h) (3) (v) of this section.

(3) Advertisements larger than the regular pages may be prepared for folding out horizontally, vertically, or both.

(4) Advertisements may be die-cut or deckle-edged.

(5) Multiple page advertisements may be prepared for detachment as permitted by paragraph (h) (3) (i) and may be held together by staples or other means separate from and in addition to the regular binding of the periodical.

(6) Advertisements may be printed upon sheets of paper, cellophane, foil and other similar material.

(7) Advertisements may include statements that they are printed on the product or by means of the product of the advertiser.

NOTE: The corresponding Postal Manual section is 132.49.

(R. S. 161, 396, as amended; secs. 12, 14, 20 Stat. 359, as amended, sec. 1, 37 Stat. 550, as amended; 5 U. S. C. 22, 369, 39 U. S. C. 225, 226, 229)

[SEAL] HERBERT B. WARBURTON,
General Counsel.

[F. R. Doc. 58-5294; Filed, July 9, 1958;
8:51 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter B—Sugar Requirements and Quotas [Sugar Reg. 814.34, Amdt. 2]

PART 814—ALLOTMENT OF SUGAR QUOTAS DOMESTIC BEET SUGAR AREA, 1958

Basis and purpose. This amendment is issued under section 205 (a) of the Sugar Act of 1948, as amended (hereinafter called the "act"), for the purpose of further amending Sugar Regulation

814.34 (22 F. R. 11027, 23 F. R. 4611) which established allotments of the 1958 sugar quota for the Domestic Beet Sugar Area totaling 2,184,484 short tons, raw value.

This amendment is necessary to allot the larger quota for the area established by Sugar Regulation 811, Amendment 5 (23 F. R. 4597) which established the 1958 quota for the Domestic Beet Sugar Area of 2,227,558 short tons, raw value, a quantity 43,074 short tons, raw value, more than previously allotted.

Findings heretofore made by the Secretary in the course of this proceeding (23 F. R. 4611) provide for the revision of this order without further notice or hearing for the purpose of adjusting allotments to take account of any change in the quota for the area resulting from any change in sugar requirements for the continental United States and the proration of any deficit in the quota for another supply area, and allotments set forth herein have been established in accordance with such findings.

Effective date. Allotments established in this order are larger than the allotments established in S. R. 814.34, Amendment 1 (23 F. R. 4611). To afford adequate opportunities to plan and to accomplish marketings of the additional quantities of sugar in an orderly manner, it is imperative that this order be effective as soon as possible. Accordingly, it is hereby found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237), is impracticable and contrary to the public interest and, consequently, this order shall be effective when published in the FEDERAL REGISTER.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the act: It is hereby ordered, That paragraph (a) of § 814.34 as amended, be further amended to read as follows:

§ 814.34 *Allotment of the 1958 sugar quota for the Domestic Beet Sugar Area—(a) Allotments.* The 1958 sugar quota for the Domestic Beet Sugar Area of 2,227,558 short tons, raw value, is hereby allotted to the following processors in the quantities which appear opposite their respective names:

Processor	Allotments	
	Short tons, raw value	Equivalent in hundred-weight refined beet sugar
Amalgamated Sugar Co., The....	201,977	5,457,514
American Crystal Sugar Co.....	203,075	5,478,037
Buckeye Sugars, Inc.....	10,269	191,944
Franklin County Sugar Co.....	11,244	210,168
Great Western Sugar Co., The....	543,981	10,167,869
Holly Sugar Corp.....	396,914	6,671,280
Layton Sugar Co.....	12,429	232,318
Menominee Sugar Co.....	13,130	280,374
Michigan Sugar Co.....	74,013	1,383,421
Monitor Sugar Div., Robt. Cargil Co.....	33,769	631,196
National Sugar Manufacturing Co., The.....	6,820	127,477
Northern Ohio Sugar Co.....	30,710	674,019
Spreckels Sugar Co.....	217,924	4,634,663
Union Sugar Div., of Cons. Foods Corp.....	83,476	1,560,299
Utah-Idaho Sugar Co.....	217,037	4,606,579
Any other person.....	0	0
Total.....	2,227,558	41,636,598

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies secs. 205, 209, 61 Stat. 926, as amended, 928; 7 U. S. C. 1115, 1119)

Done at Washington, D. C., this 7th day of July 1958.

[SEAL] LAWRENCE MYERS,
Director,
Sugar Division,
Commodity Stabilization Service.

[F. R. Doc. 58-5273; Filed, July 9, 1958;
8:51 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Fresh Pea Order 1—1958]

PART 910—VEGETABLES GROWN IN CERTAIN DESIGNATED COUNTIES IN COLORADO

LIMITATION OF SHIPMENTS

Section 2 of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 602), authorizes no action which has for its purpose the maintenance of prices to farmers above the level which it is declared to be the policy of Congress to establish. Section 2 of the act, however, authorizes the Secretary of Agriculture to establish and maintain such minimum standards of quality and maturity and such grading and inspection requirements for fresh peas in interstate commerce as will effectuate orderly marketing of such fresh peas as will be in the public interest.

§ 910.328 *Fresh Pea Order 1—1958—(a) Findings.* (1) Pursuant to Marketing Agreement No. 67, as amended, and Order No. 10, as amended, (7 CFR Part 910), regulating the handling of peas and cauliflower grown in certain designated counties in Colorado, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601, et seq.), and upon the basis of the recommendation and information submitted by the Fresh Pea Marketing Committee, established pursuant to said marketing agreement, as amended, and order, as amended, and upon other available information, it is hereby found that (1) the average price for such peas to producers thereof during the period July 11, 1958, through September 15, 1958, may exceed the parity price to producers of such peas, and (2) the limitation of shipments, pursuant to § 910.52 (b) of said marketing agreement, as amended, and order, as amended, as hereinafter provided, will establish and maintain minimum standards of quality and maturity for such peas as will effectuate such orderly marketing of Colorado fresh peas as will be in the public interest and will, thereby, tend to effectuate the declared policy of the act.

(2) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (1) the time intervening

between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, (ii) more orderly marketing in the public interest than would otherwise prevail will be promoted by regulating the shipment of fresh peas, in the manner set forth in this section, on and after the effective date of this section, (iii) compliance with this section will not require any preparation on the part of handlers which cannot be completed by the effective date, (iv) a reasonable time is permitted under the circumstances for any such preparation, and (v) information regarding the committee's recommendation has been made available to producers and handlers in the production area.

(b) *Order.* (1) During the period July 11, 1958, through September 15, 1958, no handler shall handle any fresh peas grown in Alamosa, Rio Grande, Conejos, Costilla, Mineral, and Saguache Counties in the State of Colorado that do not at least meet the requirements of the U. S. No. 1 grade, and are of a minimum pod length of three (3) inches.

(2) The terms used in this section shall have the same meaning as when used in said marketing agreement, as amended, and order, as amended, and "U. S. No. 1" used in this section shall have the same meaning assigned to that term in the United States Standards for Fresh Peas (§§ 51.1375-51.1387 of this title), including the tolerances set forth therein.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: July 7, 1958.

[SEAL]

S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F. R. Doc. 58-5272; Filed, July 9, 1958;
8:51 a. m.]

[Cauliflower Order 1-1958]

PART 910—VEGETABLES GROWN IN CERTAIN DESIGNATED COUNTIES IN COLORADO

LIMITATION OF SHIPMENTS

Section 2 of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 602), authorizes no action which has for its purpose the maintenance of prices to farmers above the level which it is declared to be the policy of Congress to establish. Section 2 of the act, however, authorizes the Secretary of Agriculture to establish and maintain such minimum standards of quality and maturity and such grading and inspection requirements for cauliflower in interstate commerce as will effectuate orderly marketing of such cauliflower as will be in the public interest.

§ 910.329 *Cauliflower Order 1-1958—*
(a) *Findings.* (1) Pursuant to Marketing Agreement No. 67, as amended, and Order No. 10, as amended (7 CFR Part 910), regulating the handling of peas and cauliflower grown in certain designated counties in Colorado, effective under the applicable provisions of the Agricultural

Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Cauliflower Marketing Committee, established pursuant to said marketing agreement, as amended, and order, as amended, and upon other available information, it is hereby found that (i) the average price for such cauliflower to producers thereof during the period July 11, 1958, through October 14, 1958, may exceed the parity price to producers of such cauliflower, and (ii) the limitation of shipments, pursuant to § 910.52 (b) of said marketing agreement, as amended, and order, as amended, as hereinafter provided, will establish and maintain minimum standards of quality and maturity for such cauliflower as will be in the public interest and will thereby tend to effectuate the declared policy of the act.

(2) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, (ii) more orderly marketing in the public interest than would otherwise prevail will be promoted by regulating the shipment of cauliflower, in the manner set forth in this section, on and after the effective date of this section, (iii) compliance with this section will not require any preparation on the part of handlers which cannot be completed by the effective date, (iv) a reasonable time is permitted under the circumstances for any such preparation, and (v) information regarding the committee's recommendation has been made available to producers and handlers in the production area.

(b) *Order.* (1) During the period July 11, 1958, through October 14, 1958, no handler shall handle any cauliflower grown in Alamosa, Rio Grande, Conejos, Costilla, Mineral, and Saguache Counties in the State of Colorado that does not meet the requirements of the U. S. No. 1, or better grade, four (4) inches or larger diameter.

(2) The terms used in this section shall have the same meaning as when used in said marketing agreement, as amended, and order, as amended, and "U. S. No. 1" and "diameter" used in this section shall have the same meanings assigned to these terms in the United States Standards for Cauliflower (§§ 51.540-51.549 of this title), including the tolerances set forth therein.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: July 7, 1958.

[SEAL]

S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F. R. Doc. 58-5271; Filed, July 9, 1958;
8:51 a. m.]

Chapter XI—Agricultural Conservation Program Service, Department of Agriculture

PART 1101—NATIONAL AGRICULTURAL CONSERVATION

SUBPART—1959

The soil and water resources of the farm and ranch lands of our Nation must be protected and conserved. This is essential in order that farms and ranches will continue to have the capacity to produce sufficient food and other raw materials to meet the future needs of the Nation.

All the people of this Nation, not the farmers and ranchers alone, have a stake in, and a part of the responsibility for protecting and conserving, our farm and ranch lands. Recognizing this, the Congress appropriates funds to share with farmers and ranchers the cost of carrying out needed soil and water conservation measures. The Agricultural Conservation Program is a means of making this Federal cost-sharing available to farmers and ranchers.

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1101.1048	Applicability.	1101.1076	Practice C-9: Constructing permanent open drainage systems to dispose of excess water.	AUTHORITY: §§ 1101.1000 to 1101.1096 issued under sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interpret or apply secs 7-17, 49 Stat. 1148, as amended, 72 Stat. 192; 16 U. S. C. 590g-590q.	
CONSERVATION PRACTICES		1101.1077	Practice C-10: Installing underground drainage systems to dispose of excess water.	INTRODUCTION	
CONSERVATION PRACTICES WITH ENDURING BENEFITS; WHERE PROPERLY APPLIED AND MAINTAINED		§ 1101.1000 Introduction. (a) Through the 1959 Agricultural Conservation Program (referred to in this subpart as the "1959 program") administered by the Department of Agriculture, the Federal Government will share with farmers and ranchers in the continental United States the cost of carrying out approved soil and water conservation practices in accordance with the provisions contained in this subpart and such modifications thereof as may hereafter be made.			
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(b) Information with respect to the several practices for which costs will be shared when carried out on a particular farm or ranch, and the exact specifications and rates of cost-sharing for such practices, may be obtained from the county committee for the county in which the farm or ranch is located or from the State committee.

GENERAL PROGRAM PRINCIPLES

§ 1101.1001 *General program principles.* The 1959 National Agricultural Conservation Program has been developed and is to be carried out on the basis of the following general principles:

(a) The national program contains broad authorities to help meet the varied soil and water conservation problems of the Nation. State and county committees and participating agencies shall design a program for each State and county. Such programs should include any additional limitations and restrictions necessary for the maximum conservation accomplishment in the area. The programs should be confined to the soil and water conservation practices on which Federal cost-sharing is most needed in order to achieve the maximum conservation benefit in the State or county.

(b) The State and county programs should be designed to encourage those soil and water conservation practices which provide the most enduring conservation benefits practicably attainable in 1959 on the lands where they are to be applied.

(c) Costs will be shared with a farmer or rancher only on satisfactorily performed soil and water conservation practices for which Federal cost-sharing was requested by the farmer or rancher before the conservation work was begun.

(d) Costs should be shared only on soil and water conservation practices which it is believed farmers or ranchers would not carry out to the needed extent without program assistance. In no event should costs be shared on practices except those which are over and above those farmers or ranchers would be compelled to perform in order to secure a crop.

(e) The rates of cost-sharing in a county or State are to be the minimum required to result in substantially increased performance of needed soil and water conservation practices within the limits prescribed in the national program.

(f) The purpose of the program is to help achieve additional conservation on land now in agricultural production rather than to bring more land into agricultural production. The program is not applicable to the development of new or additional farmland by measures such as drainage, irrigation, and land clearing. Such of the available funds that cannot be wisely utilized for this purpose will be returned to the public treasury.

(g) If the Federal Government shares the cost of the initial application of soil and water conservation practices which farmers and ranchers otherwise would not perform but which are essential to sound soil and water conservation, the farmers and ranchers should assume re-

sponsibility for the upkeep and maintenance of those practices through their life spans. The State and county programs shall specify the life spans of practice A-4 and practice B-1, and other practices for which the measures involved might be used in connection with normal maintenance. State groups may specify life spans for other practices if needed to facilitate the administration of the program. Cost-shares are not applicable, after they are initially utilized, to undertake a practice during its normal life span unless the practice has failed to serve for its normal life span due to conditions beyond the control of the farm or ranch operator.

DISTRIBUTION OF FUNDS

§ 1101.1002 *State funds.* Funds available for conservation practices will be distributed among States on the basis of conservation needs, but the proportion allocated for use in any State shall not be reduced more than 15 percent from its proportionate 1958 distribution.

§ 1101.1003 *County funds.* The State committee will allocate the funds available for conservation practices among the counties within the State consistent with the needs for enduring conservation in the counties within the State and will give particular consideration to the furtherance of watershed conservation programs sponsored by local people and organizations.

STATE AND COUNTY AGRICULTURAL CONSERVATION PROGRAMS

§ 1101.1004 *Agencies to participate in development of State programs.* (a) A State agricultural conservation program (referred to in this subpart as "State program") shall be developed in each State in accordance with the provisions contained in this subpart and such modifications thereof as may hereafter be made. The program shall be developed by the State ACP Development Group, which shall consist of the State committee (including the State Director of Extension), the State Conservationist of the Soil Conservation Service, and the Forest Service official having jurisdiction of farm forestry in the State. The President of the Land-Grant College and the State Director of the Farmers Home Administration shall be invited to designate representatives to counsel with the group in the formulation of the State program. The chairman of the State committee shall invite representatives of the State Soil Conservation Committee (Board or Commission), the State Agricultural Extension Service, and other State and Federal agricultural agencies, and may invite others with conservation interests, to participate in the deliberations on the State program.

(b) The program for the State shall be that recommended by the State ACP Development Group and approved by the Administrator, ACPS, after obtaining the recommendations of the Soil Conservation Service and the Forest Service.

§ 1101.1005 *Agencies to participate in development of county programs.* (a) A county agricultural conservation program (referred to in this subpart as "county program") shall be developed in

each county in accordance with the provisions of the State program and such modifications thereof as may be made. The county program shall be developed by the County ACP Development Group, which shall consist of the county committee, the designated representative of the Soil Conservation Service in the county, and the Federal Forest Service representative having jurisdiction of farm forestry in the county. The County ACP Development Group, working with the community committeemen, the governing body of the Soil Conservation District, the farm forestry representatives of the State, the County Agricultural Extension Agent for the county (if he is not included in the foregoing group as ex officio member of the county committee), the County Supervisor of the Farmers Home Administration, and others with conservation interests, shall develop recommendations for the county program.

(b) The program for the county then shall be formulated by the County ACP Development Group in consultation with the governing body of the Soil Conservation District on the overall conservation problems in the county and, especially on the work plans of the Soil Conservation District and of the Federal agencies involved to assure the most effective use of the available technical assistance and funds for cost-sharing. The program as formulated shall be recommended to the State committee for approval by the State ACP Development Group. The program for the county shall be that recommended by the county ACP Development Group and approved by the State ACP Development Group: *Provided, however,* That notwithstanding other provisions of the 1959 national or State program, no change shall be made in the 1959 program for the county which will have the effect of restricting eligibility requirements or cost-sharing on practices included in either the 1957 or 1958 program for the county, unless such change shall have been recommended by the county committee and approved by the State committee. The program recommendation shall be signed by the chairman of the county committee, the Soil Conservation Service technician, and the Forest Service representative where present in the county, and shall state that the program was developed in consultation with the governing body of the Soil Conservation District, if any, or shall state that the governing body was invited to participate in developing the program but did not accept.

§ 1101.1006 *Selection of practices.* Practices to be included in the State Program or in the county program shall be only those practices for which cost-sharing is essential to permit accomplishment of needed conservation work which would not otherwise be carried out.

§ 1101.1007 *Adaptation of practices.* (a) The practices included in the State program must meet all conditions and requirements of the national program. Additional conditions and requirements may be included where necessary for effective use in meeting the conservation problems in the State.

(b) The practices included in the county program must meet all conditions and requirements of the State program. Additional conditions and requirements may be included where necessary for effective use in meeting the conservation problems in the county.

§ 1101.1003 Practice specifications.

(a) Minimum specifications which practices must meet to be eligible for Federal cost-sharing shall be set forth in the State handbook or in the county program, or be incorporated therein by specific reference to a standard publication or other written document containing such specifications.

(b) For practices involving the establishment or improvement of vegetative cover, the specifications shall include, where appropriate, liming, fertilization, and seeding rates, eligible seeds and mixtures, seeding dates, requirements for cultural operations and inoculation, and other steps essential to the successful establishment or improvement of the vegetative cover. Eligible seeds and mixtures shall include a legume or legumes where recommended for inclusion by the State Experiment Station or the State Extension Service. For mechanical or construction type practices, the specifications shall include, where appropriate, the types and sizes of material, installation or construction requirements, and other steps essential to the proper functioning of the structure. For other practices, the specifications shall include those steps essential to the successful performance of the practice.

(c) Practice specifications shall provide minimum performance requirements which will qualify the practice for cost-sharing and, where applicable, may also provide maximum limits of performance which will be eligible for cost-sharing. The minimum performance requirements established for a practice shall represent those levels of performance which are necessary to assure a satisfactory practice. The maximum limits of performance for cost-sharing established for a practice shall represent those levels of performance which are needed in order for the practice to be most effective in meeting the conservation problem and which are not in excess of levels for which cost-sharing can be justified.

§ 1101.1009 Use of liming materials

and commercial fertilizers for vegetative cover. (a) For practices which authorize Federal cost-sharing for applications of liming materials and commercial fertilizers, the minimum application, and maximum application where applicable, on which cost-sharing is authorized shall, in each case, be determined on the basis of a current soil test: *Provided, however,* That if the State ACP Development Group determines that available facilities are not adequate to permit the desired use of these practices under the program, it shall authorize, to the extent necessary, an alternative basis for determination by the county committee of such applications. Such alternative basis shall be such as to insure beneficial use of Federal cost-sharing approved and shall be formulated by the State ACP Development Group in full consultation

with the representatives of the State and Federal agencies participating in the development of the State program.

(b) The application of liming materials contained in commercial fertilizers, rock phosphate, or basic slag will not qualify for Federal cost-sharing. The application of manure will not qualify for Federal cost-sharing; however, manure may be used, where applicable, to meet all or a part of the fertilizer requirement for a practice.

§ 1101.1010 Responsibility for technical phases of practices.

(a) The Soil Conservation Service is responsible for the technical phases of the practices contained in §§ 1101.1056, 1101.1063, and 1101.1071 to 1101.1083. This responsibility shall include (1) a finding that the practice is needed and practicable on the farm, (2) necessary site selection, other preliminary work, and layout work of the practice, (3) necessary supervision of the installation, and (4) certification of performance. For the practice contained in § 1101.1068, the Soil Conservation Service is responsible (1) for determining that the practice is needed and practicable on the farm, and (2) for necessary site selection, other preliminary work, and layout work of the practice. For the practices contained in §§ 1101.1062, 1101.1064, and 1101.1070, the Soil Conservation Service is responsible for determining that the practice is needed and practicable on the farm. In addition, upon agreement of the State committee and the State Conservationist of the Soil Conservation Service, responsibility for all or part of the unassigned technical phases of these or other practices may be assigned to the Soil Conservation Service for all counties in the State or for specified counties. The State Conservationist of the Soil Conservation Service may utilize assistance from private, State, or Federal agencies in carrying out these assigned responsibilities. These assigned responsibilities will not apply in counties with respect to which the Administrator, ACPS, and the Administrator, SCS, agree that it would not be administratively practicable for the Soil Conservation Service to discharge these responsibilities. In such counties, these responsibilities shall be assumed by the county committees. The Soil Conservation Service will utilize to the full extent available resources of the State forestry agencies in carrying out its assigned responsibilities for the practice contained in § 1101.1056.

(b) The Forest Service is responsible for the technical phases of the practices contained in §§ 1101.1055 and 1101.1066. This responsibility shall include (1) providing necessary specialized technical assistance, (2) development of specifications for forestry practices, and (3) working through State and county committees, determining performance in meeting these specifications. The Forest Service may utilize assistance from private, State, or Federal agencies in carrying out these assigned responsibilities, but services of State forestry agencies will be utilized to the full extent such services are available.

§ 1101.1011 Rates of cost-sharing.

(a) The maximum Federal cost-share

for each practice shall be the percentage of the average cost of performing the practice considered necessary to obtain the needed performance of the practice, but which will be such that the farmer or rancher will make a substantial contribution to the cost of performing the practice. Rates of cost-sharing shall not be in excess of 50 percent of the average cost of performing the practices, except that:

(1) For the practices contained in §§ 1101.1053 to 1101.1056, 1101.1066, 1101.1068, 1101.1069, 1101.1071 to 1101.1074, and 1101.1083, which have long lasting conservation benefits and from which the returns to the farmer or rancher are remote, the State ACP Development Group may establish rates of cost-sharing in excess of 50 percent of the average cost of performing the practices.

(2) Upon justification by the State ACP Development Group and approval of the Administrator, ACPS, rates of cost-sharing in excess of 50 percent of the average cost of performing the practices may be established for other practices having long lasting conservation benefits and from which the returns to the farmer or rancher are remote.

(3) Upon justification by the State and County ACP Development Groups, the Administrator, ACPS, may approve a rate of cost-sharing for one or more additional practices in a county in excess of 50 percent of the average cost of performing the practice, but only if the increased rate of cost-sharing is essential to introduce a greatly needed new conservation practice into the county or to bring about a greatly needed increase in the extent to which the practice otherwise would be carried out.

(b) For the purpose of establishing rates of cost-sharing, the average cost of performing a practice may be the average cost for a State, a county, a part of a county, or a farm or ranch, as determined by the State committee.

(c) The rates of cost-sharing for practices included in the county program may be lower than the rates approved for general use in the State.

§ 1101.1012 Items of cost on which rates of cost-sharing may be based. Except as otherwise provided by the wording of the practices or elsewhere in this subpart, the cost of any direct and significant factor in the performance of a practice may be considered in establishing the rate of cost-sharing for the practice.

§ 1101.1013 State handbooks, bulletins, instructions, and forms. The Administrator, ACPS, is authorized to prepare and issue State handbooks, bulletins, instructions, and forms required in administering the 1959 program. Copies of State handbooks, bulletins, instructions, and forms containing detailed information with respect to the 1959 program as it applies to specific States, counties, areas, and farms and ranches will be available in the office of the State committee and the office of the county committee. Persons wishing to participate in the program should obtain from the State committee or county committee

all information needed in order to comply with all provisions of the program.

APPROVAL OF CONSERVATION PRACTICES ON INDIVIDUAL FARMS OR RANCHES

§ 1101.1014 *Opportunity for requesting cost-sharing.* Each farmer or rancher shall be given an opportunity to request that the Federal Government share in the cost of those practices on which he considers he needs such assistance in order to permit their performance on his farm or ranch. The county committee, taking into consideration the farmer's or rancher's request and any conservation plan developed by the farmer or rancher with the assistance of any State or Federal agency, shall direct the available funds for cost-sharing to those farms and ranches and to those practices where cost-sharing is considered most essential to the accomplishment of the basic conservation objective of the Department—the use of each acre of agricultural land within its capabilities and the treatment of each acre in accordance with its needs for protection and improvement.

§ 1101.1015 *Prior request for cost-sharing.* Costs will be shared only for those practices, or components of practices, for which cost-sharing is requested by the farmer or rancher before performance thereof is started, except that for the practices contained in §§ 1101.1092 and 1101.1096, the Administrator, ACPs, may authorize the acceptance of requests for cost-sharing filed within a reasonable period after performance thereof is started, such period to be stated in the practice wording. For practices for which (a) approval was given under the 1958 Agricultural Conservation Program, (b) performance was started but not completed during the 1958 program year, and (c) the county committee believes the extension of the approval to the 1959 program is justified under the 1959 program regulations and provisions, the filing of the request for cost-sharing under the 1958 program may be regarded as meeting the requirement of the 1959 program that a request for cost-sharing be filed before performance of the practice is started.

§ 1101.1016 *Method and extent of approval.* The county committee, in accordance with a method approved by the State committee, will determine the extent to which Federal funds will be made available to share the cost of each approved practice on each farm or ranch, taking into consideration the county allocation, the conservation problems in the county and of the individual farm or ranch, and the conservation work for which requested Federal cost-sharing is considered by the county committee as most needed in 1959. The method approved shall provide for the issuance of notices of approval showing for each approved practice the number of units of the practice for which the Federal Government will share in the cost and the amount of the Federal cost-share for the performance of that number of units of the practice. To the extent practicable, notices of approved practices shall be issued before performance of the prac-

tices is started. No practice may be approved for cost-sharing except as authorized by the national, State, or county program, or in accordance with procedures incorporated therein. Available funds for cost-sharing shall not be allocated on a farm or acreage-quota basis, but shall be directed to the accomplishment of the most enduring conservation benefits attainable.

§ 1101.1017 *Initial establishment or installation of practices.* Federal cost-sharing may be authorized under the 1959 program only for the initial establishment or installation of the practices contained in this subpart. The initial establishment or installation of a practice, for the purposes of the 1959 program, shall be deemed to include the replacement, enlargement, or restoration of practices for which cost-sharing has been allowed since the 1953 program if the practice has served for its normal life span, or if all of the following conditions exist:

(a) Replacement, enlargement, or restoration of the practice is needed to meet the conservation problem.

(b) The failure of the original practice was not due to the lack of proper maintenance by the current operator.

(c) The county committee believes that the replacement, enlargement, or restoration of the practice merits consideration under the program to an equal extent with other practices for which cost-sharing has not been allowed under a previous program.

§ 1101.1018 *Repair, upkeep, and maintenance of practices.* Federal cost-sharing is not authorized for repairs or for normal upkeep or maintenance of any practice.

§ 1101.1019 *Pooling agreements.* Farmers or ranchers in any local area may agree in writing, with the approval of the county committee, to perform designated amounts of practices which, by conserving or improving the agricultural resources of the community will solve a mutual conservation problem on the farms or ranches of the participants. For purposes of eligibility for cost-sharing, practices carried out under such an approved written agreement will be regarded as having been carried out on the farms or ranches of the persons who performed the practices.

PRACTICE COMPLETION REQUIREMENTS

§ 1101.1022 *Completion of practices.* Federal cost-sharing for the practices contained in this subpart is conditioned upon the performance of the practices in accordance with all applicable specifications and program provisions. Except as provided in §§ 1101.1023 to 1101.1025, practices must be completed during the program year in order to be eligible for cost-sharing.

§ 1101.1023 *Practices substantially completed during program year.* Approved practices may be deemed, for purposes of payment of cost-shares, to have been carried out during the 1959 program year, if the county committee determines that they are substantially completed by the end of the program

year. However, no cost-shares for such practices shall be paid until they have been completed in accordance with all applicable specifications and program provisions, except as provided in § 1101.1024.

§ 1101.1024 *Practices requiring more than one program year for completion.* Cost-shares approved under the 1959 program will not be considered as earned until all components of the approved practices are completed in accordance with all applicable specifications and program provisions. Cost-shares for completed components may be paid only after the practice is substantially completed, and only on the condition that the farmer or rancher will complete the remaining components of the practice within the time prescribed by the county committee which will afford the farmer or rancher a fair and reasonable opportunity to complete them, unless prevented from doing so for reasons beyond his control and regardless of whether cost-sharing therefor is offered, or refund the cost-shares paid to him. If an approved practice is not substantially completed by the end of the 1959 program year, the practice may be considered for reapproval under the 1960 program.

§ 1101.1025 *Practices involving the establishment or improvement of vegetative cover.* Costs for practices involving the establishment or improvement of vegetative cover, including trees, may be shared even though a good stand is not established, if the county committee determines, in accordance with standards approved by the State committee, that the practice was carried out in a manner which would normally result in the establishment of a good stand, and that failure to establish a good stand was due to weather or other conditions beyond the control of the farm or ranch operator. The county committee may require as a condition of cost-sharing in such cases that the area be reseeded or replanted, or that other needed protective measures be carried out. Cost-sharing in such cases may be approved also for repeat applications of measures previously carried out or for additional eligible measures. Cost-sharing for such measures shall be approved to the extent such measures are needed to assure a good stand even though less than that required by the applicable practice wording for initial approvals.

§ 1101.1026 *Failure to meet minimum requirements.* Notwithstanding other provisions of the 1959 program, costs may be shared for practices treating with the establishment or improvement of vegetative cover for the performance actually rendered even though the minimum requirements with regard to seedbed preparation, the rate of seeding, or the application of liming materials or commercial fertilizers are not met, if the farmer or rancher establishes to the satisfaction of the county committee and the State committee or its designee (a) that he made every reasonable effort to meet the minimum requirements, and (b) that the practice as performed adequately meets the conservation problem.

FEDERAL COST-SHARES

§ 1101.1027 *Conservation materials and services—(a) Availability.* (1) Part or all of the Federal cost-share for an approved practice may be in the form of conservation materials or services furnished through the program for use in carrying out the practice. Materials or services may not be furnished to persons who are indebted to the Federal Government, as indicated by the register of indebtedness maintained in the office of the county committee, except in those cases where the agency to which the debt is owed waives its rights to set-off in order to permit the furnishing of materials and services.

(2) Title to any material furnished through the program shall vest in the Federal Government until the material is applied or planted, or all charges for the material are satisfied.

(b) *Cost to farmer or rancher.* The farmer or rancher will pay that part of the cost of the material or service, as established under instructions issued by the Administrator, ACPS, which is in excess of the Federal cost-share attributable to the use of the material or service or, upon request by the farmer or rancher and approval by the county committee, the farmer or rancher will pay that part of the cost of the material or service which is in excess of the farmer's or rancher's Federal cost-share for all components of the practice which will likely be completed during the program year. The Federal cost-share increase on the amount of the Federal cost-share so determined may be advanced as a credit against that part of the cost of the material or service required to be paid by the farmer or rancher.

(c) *Discharge of responsibility for materials and services.* (1) The person to whom a material or service is furnished under the 1959 program will be relieved of responsibility for the material or service upon determination by the county committee that the material or service was used for the purpose for which it was furnished and that any other components of the practice, on which the amount of the Federal cost-share advance toward the cost of the material or service was determined, have been carried out in accordance with all applicable specifications and program provisions. If the person uses any material or service for any purpose other than that for which it was furnished, he shall be indebted to the Federal Government for that part of the cost of the material or service borne by the Federal Government and shall pay such amount to the Treasurer of the United States direct or by withholdings from Federal cost-shares otherwise due him under the program.

(2) Any person to whom materials are furnished shall be responsible to the Federal Government for any damage to the materials, unless he shows that the damage was caused by circumstances beyond his control. If materials are abandoned or not used during the program year, they may, in accordance with instructions issued by the Administrator, ACPS, be transferred to another person or otherwise disposed of at the expense of

the person who abandoned or failed to use the material, or be retained by the person for use in a subsequent program year.

§ 1101.1028 *Practices carried out with State or Federal aid.* The total extent of any practice performed shall be reduced for the purpose of computing cost-shares by the percentage of the total cost of the items of performance on which costs are shared which the county committee determines was furnished by a State or Federal agency. Materials or services furnished through the 1959 program, materials or services furnished by any agency of a State to another agency of the same State, or materials or services furnished or used by a State or Federal agency for the performance of practices on its land shall not be regarded as State or Federal aid for the purposes of this section.

§ 1101.1029 *Division of Federal cost-shares—(a) Federal cost-shares.* The Federal cost-share attributable to the use of conservation materials or services shall be credited to the person to whom the materials or services are furnished. Other Federal cost-shares shall be credited to the person who carried out the practices by which such other Federal cost-shares are earned. If more than one person contributed to the carrying out of such practices, the Federal cost-share shall be divided among such persons in the proportion that the county committee determines they contributed to the carrying out of the practices. In making this determination, the county committee shall take into consideration the value of the labor, equipment, or material contributed by each person toward the carrying out of each practice on a particular acreage, and shall assume that each contributed equally unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion. The furnishing of land or the right to use water will not be considered as a contribution to the carrying out of any practice.

(b) *Death, incompetency, or disappearance.* In case of death, incompetency, or disappearance of any person, any Federal share of the cost due him shall be paid to his successor, determined in accordance with the provisions of the regulations in ACP-122, as amended (Part 1108 of this chapter).

§ 1101.1030 *Increase in small Federal cost-shares.* The sum of the Federal cost-shares computed for any person with respect to any farm or ranch under the Agricultural Conservation Program and the Naval Stores Conservation Program shall be increased as follows: *Provided, however,* That in the event legislation is enacted which repeals or amends the authority for making such increases, the Secretary may, in such manner and at such time as is consistent with such legislation, discontinue such increases:

(a) Any Federal cost-share amounting to \$0.71 or less shall be increased to \$1.

(b) Any Federal cost-share amounting to more than \$0.71, but less than \$1, shall be increased by 40 percent.

(c) Any Federal cost-share amounting to \$1 or more shall be increased in accordance with the following schedule:

Amount of cost-share computed:	Increase in cost-share
\$1 to \$1.99	\$0.40
\$2 to \$2.99	.80
\$3 to \$3.99	1.20
\$4 to \$4.99	1.60
\$5 to \$5.99	2.00
\$6 to \$6.99	2.40
\$7 to \$7.99	2.80
\$8 to \$8.99	3.20
\$9 to \$9.99	3.60
\$10 to \$10.99	4.00
\$11 to \$11.99	4.40
\$12 to \$12.99	4.80
\$13 to \$13.99	5.20
\$14 to \$14.99	5.60
\$15 to \$15.99	6.00
\$16 to \$16.99	6.40
\$17 to \$17.99	6.80
\$18 to \$18.99	7.20
\$19 to \$19.99	7.60
\$20 to \$20.99	8.00
\$21 to \$21.99	8.40
\$22 to \$22.99	8.80
\$23 to \$23.99	9.20
\$24 to \$24.99	9.60
\$25 to \$25.99	10.00
\$26 to \$26.99	10.40
\$27 to \$27.99	10.80
\$28 to \$28.99	11.20
\$29 to \$29.99	11.60
\$30 to \$30.99	12.00
\$31 to \$31.99	12.40
\$32 to \$32.99	12.80
\$33 to \$33.99	13.20
\$34 to \$34.99	13.60
\$35 to \$35.99	14.00
\$36 to \$36.99	14.40
\$37 to \$37.99	14.80
\$38 to \$38.99	15.20
\$39 to \$39.99	15.60
\$40 to \$40.99	16.00
\$41 to \$41.99	16.40
\$42 to \$42.99	16.80
\$43 to \$43.99	17.20
\$44 to \$44.99	17.60
\$45 to \$45.99	18.00
\$46 to \$46.99	18.40
\$47 to \$47.99	18.80
\$48 to \$48.99	19.20
\$49 to \$49.99	19.60
\$50 to \$50.99	20.00
\$51 to \$51.99	20.40
\$52 to \$52.99	20.80
\$53 to \$53.99	21.20
\$54 to \$54.99	21.60
\$55 to \$55.99	22.00
\$56 to \$56.99	22.40
\$57 to \$57.99	22.80
\$58 to \$58.99	23.20
\$59 to \$59.99	23.60
\$60 to \$185.99	24.00
\$186 to \$199.99	(1)
\$200 and over	(2)

¹ Increase to \$200.

² No increase.

§ 1101.1031 *Maximum Federal cost-share limitation.* (a) The total of all Federal cost-shares under the 1959 program to any person with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, Puerto Rico, and the Virgin Islands) for approved practices which are not carried out under pooling agreements shall not exceed the sum of \$2,500, and for all approved practices, including those carried out under pooling agreements, shall not exceed the sum of \$10,000.

(b) All or any part of any Federal cost-share which otherwise would be due any person under the 1959 program may be withheld, or required to be refunded, if he has adopted, or participated in

adopting, any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, designed to evade, or which has the effect of evading, the provisions of this section.

§ 1101.1032 *Persons eligible to file application for payment of Federal cost-shares.* Any person who, as landlord, tenant, or sharecropper on a farm or ranch, bore a part of the cost of an approved conservation practice is eligible to file an application for payment of the Federal cost-share due him.

§ 1101.1033 *Time and manner of filing application and required information.* (a) It shall be the responsibility of persons participating in the program to submit to the county office forms and information needed to establish the extent of the performance of approved conservation practices and compliance with applicable program provisions. Time limits with regard to the submission of such forms and information shall be established where necessary for efficient administration of the program. Such time limits shall afford a full and fair opportunity to those eligible to file the forms or information within the period prescribed. At least 2 weeks' notice to the public shall be given of any general time limit prescribed. Such notice shall be given by mailing notice to the office of each county committee and making copies available to the press. Other means of notification, including radio announcements and individual notices to persons affected, shall be used to the extent practicable. Notice of time limits which are applicable to individual persons, such as time limits for reporting performance of approved practices, shall be issued in writing to the persons affected. Exceptions to time limits may be made in cases where failure to submit required forms and information within the applicable time limits is due to reasons beyond the control of the farmer or rancher.

(b) Payment of Federal cost-shares will be made only upon application submitted on the prescribed form to the county office by December 31, 1960, or such earlier date as is prescribed by the Administrator, ACPS. Any application for payment may be rejected if any form or information required of the applicant is not submitted to the county office within the applicable time limit.

§ 1101.1034 *Appeals.* Any person may, within 15 days after notice thereof is forwarded to or made available to him, request the county committee or State committee in writing to reconsider its recommendation or determination in any matter affecting the right to or the amount of his Federal cost-shares with respect to the farm or ranch. The county committee or State committee shall notify him of its decision in writing within 15 days after receipt of written request for reconsideration. If the person is dissatisfied with the decision of the county committee, he may, within 15 days after the decision is forwarded to or made available to him, appeal in writing to the State committee. The State

committee shall notify him of its decision in writing within 30 days after the submission of the appeal. If he is dissatisfied with the decision of the State committee, he may, within 15 days after its decision is forwarded to or made available to him, request the Administrator, ACPS, to review the decision of the State committee. The decision of the Administrator, ACPS, shall be final. Written notice of any decision rendered under this section by the county or State committee shall also be issued to each other landlord, tenant, or sharecropper on the farm or ranch who may be adversely affected by the decision.

GENERAL PROVISIONS RELATING TO FEDERAL COST-SHARING

§ 1101.1035 *Compliance with regulatory measures.* Persons who carry out conservation practices under the 1959 program shall be responsible for obtaining the authorities, rights, easements, or other approvals necessary to the performance and maintenance of the practices in keeping with applicable laws and regulations. The persons with whom the cost of the practice is shared shall be responsible to the Federal Government for any losses it may sustain because he infringes on the rights of others or fails to comply with applicable laws or regulations.

§ 1101.1036 *Maintenance of practices.* The sharing of costs, by the Federal Government, for the performance of approved conservation practices on any farm or ranch under the 1959 program will be subject to the condition that the person with whom the costs are shared will maintain such practices throughout their normal life spans in accordance with good farming practices as long as the land on which they are carried out is under his control.

§ 1101.1037 *Practices defeating purposes of programs.* If the county committee finds, with the concurrence of the State committee, that any person has adopted or participated in any practice during the 1959 program year which tends to defeat the purposes of the 1959 or any previous program, including, but not limited to, failure to maintain, in accordance with good farming practices, practices carried out under a previous program, it may withhold, or require to be refunded, all or any part of the Federal cost-share which otherwise would be due him under the 1959 program.

§ 1101.1038 *Depriving others of Federal cost-share.* If the State committee finds that any person has employed any scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of the Federal cost-share due that person under the program, it may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require him to refund in whole or in part, the Federal cost-share which otherwise would be due him under the 1959 program.

§ 1101.1039 *Filing of false claims.* If the State committee finds that any per-

son has knowingly filed claim for payment of the Federal cost-share under the program for practices not carried out, or for practices carried out in such a manner that they do not meet the required specifications therefor, such person shall not be eligible for any Federal cost-share under the 1959 program and shall refund all amounts that may have been paid to him under the 1959 program. The withholding or refunding of Federal cost-shares will be in addition to and not in substitution of any other penalty or liability which might otherwise be imposed.

§ 1101.1040 *Misuse of purchase orders.* If the State committee finds that any person has knowingly used a purchase order issued to him for conservation materials or services for a purpose other than that for which it was issued, and that such misuse of the purchase order tends to defeat the purpose for which it was issued, such person shall not be eligible for any Federal cost-share under the 1959 program and shall refund all amounts that may have been paid to him under the 1959 program. The withholding or refunding of Federal cost-shares will be in addition to and not in substitution of any other penalty or liability which might otherwise be imposed.

§ 1101.1041 *Federal cost-shares not subject to claims.* Any Federal cost-share, or portion thereof, due any person shall be determined and allowed without regard to questions of title under State law; without deduction of claims for advances (except as provided in § 1101.1042, and except for indebtedness to the United States subject to setoff under orders issued by the Secretary (Part 13, Subtitle A, of this title)); and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

§ 1101.1042 *Assignments.* Any person who may be entitled to any Federal cost-share under the 1959 program may assign his right thereto, in whole or in part, as security for cash loaned or advances made for the purpose of financing the making of a crop in 1959, including the carrying out of soil and water conservation practices. No assignment will be recognized unless it is made in writing on Form ACP-69 and in accordance with the regulations issued by the Secretary (Part 1110 of this chapter).

DEFINITIONS

§ 1101.1045 *Definitions.* For the purposes of the 1959 program:

(a) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the Department to whom authority has been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(b) "Administrator, ACPS," means the Administrator of the Agricultural Conservation Program Service.

(c) "State" means any one of the continental United States.

(d) "State committee" means the persons in a State designated by the Secretary as the Agricultural Stabilization and Conservation State committee under sec-

tion 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended.

(e) "County" means parish or county.

(f) "County committee" means the persons elected within a county as the county committee pursuant to regulations governing the selection and functions of Agricultural Stabilization and Conservation county and community committees under section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended.

(g) "Person" means an individual, partnership, association, corporation, estate, or trust, or other business enterprise, or other legal entity (and, wherever applicable, a State, a political subdivision of a State, or any agency thereof) that, as landlord, tenant, or sharecropper, participates in the operation of a farm or ranch.

(h) "Farm" or "ranch" means that area of land considered as a farm under the current definition of farm applicable to marketing quota and acreage allotment programs (Part 718 of this title).

(i) "Cropland" means that land considered as cropland under the current definition of cropland applicable to marketing quota and acreage allotment programs (Part 718 of this title).

(j) "Program year" means the period, designated in the State handbook, during which conservation practices, or components thereof, must be carried out to be eligible for cost-sharing. The program year may begin on or after July 1, 1958, and end not later than December 31, 1959.

AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

§ 1101.1046 *Authority.* The program contained in this subpart is approved pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17 of the Soil Conservation and Domestic Allotment Act, as amended (49 Stat. 1148; 16 U. S. C. 590g-590q), and the Department of Agriculture and Farm Credit Administration Appropriation Act, 1959, and is contingent upon legislative authority to the Secretary to exercise after December 31, 1958, the powers now conferred on him by section 8 of the act.

§ 1101.1047 *Availability of funds.* (a) The provisions of the 1959 program are necessarily subject to such legislation as the Congress of the United States may hereafter enact; the paying of the Federal cost-shares provided in this subpart is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such Federal cost-shares will necessarily be within the limits finally determined by such appropriation.

(b) The funds provided for the 1959 program will not be available for paying Federal cost-shares for which applications are filed in the county office after December 31, 1960.

§ 1101.1048 *Applicability.* (a) The provisions of the 1959 program contained in this subpart are not applicable to (1) any department or bureau of the United States Government or any corporation wholly owned by the United States; (2) noncropland owned by the United States

which was acquired or reserved for conservation purposes, or which is to be retained permanently under Government ownership, including, but not limited to, grazing lands administered by the Forest Service of the United States Department of Agriculture, or by the Bureau of Land Management (including lands administered under the Taylor Grazing Act) or the Fish and Wildlife Service of the United States Department of the Interior, except as indicated in paragraph (b) (7) of this section; (3) nonprivate persons for performance on any land owned by the United States or a corporation wholly owned by it; and (4) farms outside the continental United States.

(b) The program is applicable to (1) privately owned lands; (2) lands owned by a State or political subdivision or agency thereof; (3) lands owned by corporations which are partly owned by the United States, such as production credit associations; (4) lands temporarily owned by the United States or a corporation wholly owned by it, which were not acquired or reserved for conservation purposes, including lands administered by the Farmers Home Administration, the Federal Farm Mortgage Corporation, the United States Department of Defense, or by any other Government agency designated by the Administrator, ACPs; (5) any cropland farmed by private persons which is owned by the United States or a corporation wholly owned by it; (6) Indian lands, except that where grazing operations are carried out on Indian lands administered by the Department of the Interior, such lands are within the scope of the program only if covered by a written agreement approved by the Department of the Interior giving the operator an interest in the grazing and forage growing on the land and a right to occupy the land in order to carry out the grazing operations; and (7) noncropland owned by the United States for performance by private persons of conservation practices which directly conserve or benefit nearby or adjoining privately owned lands of such persons who maintain and use such federally owned noncropland under agreement with the Federal agency having jurisdiction thereof.

CONSERVATION PRACTICES

CONSERVATION PRACTICES WITH ENDURING BENEFITS; WHERE PROPERLY APPLIED AND MAINTAINED

Practices Primarily for Establishment of Permanent Protective Cover

§ 1101.1049 *Practice A-1: Initial establishment of a permanent vegetative cover in orchards and vineyards for control of erosion.* Volunteer stands and acreages cut for hay are not eligible for cost-sharing.

§ 1101.1050 *Practice A-2: Initial establishment of a permanent vegetative cover for soil protection or as a needed land-use adjustment.* This practice is applicable only to land which should be established in permanent vegetative cover for protection against wind or water erosion, and to cropland which, as a part of a needed land-use adjustment,

is being shifted to permanent protective vegetative cover other than as a part of a regular crop rotation. This practice is not applicable to land occupied by a merchantable stand of timber or pulpwood, or to land which, if cleared, would be suitable for continued production of cultivated crops. Federal cost-sharing may be approved for constructing fences where fences are necessary to protect the seeded area and only for the extent necessary to fence that area. Federal cost-sharing for fences shall be limited to permanent fences, excluding boundary and road fences.

§ 1101.1051 *Practice A-3: Establishment of additional acreages of vegetative cover in crop rotation to retard erosion and to improve soil structure, permeability, or water-holding capacity.* This practice is applicable only to land which needs such cover to retard erosion or to improve soil structure, permeability, or water-holding capacity. Federal cost-sharing will be limited to that acreage which the county committee determines represents a desirable increase over what would be the normal plantings of eligible crops on the farm in 1959 under the normal crop rotation for the farm. In making this determination, consideration should be given to the need for this practice on cropland which the farmer or rancher intends to divert from the production of crops for which allotments are established for the farm for 1959.

§ 1101.1052 *Practice A-4: Initial treatment of farmland to permit the use of legumes and grasses for soil improvement and protection.* This practice is applicable only to farmland devoted in 1959 to legumes (other than vegetable or truck crops, soybeans, mungbeans, and peanuts) or perennial grasses, and to farmland which the county committee determines will be devoted to such eligible uses in 1960. Federal cost-sharing will be limited to the application of liming materials, rock phosphate, and gypsum or other sulphur-bearing materials. Other forms of phosphate materials are eligible for cost-sharing under other practices involving the establishment or improvement of vegetative cover. Cost-shares paid or advanced for materials applied under this practice will not be considered as earned unless the land is devoted to eligible grasses and legumes at the time the materials are applied or is seeded to eligible grasses and legumes in 1959 or 1960, unless the farmer is prevented from seeding the eligible grasses and legumes within such period because of conditions beyond his control.

§ 1101.1053 *Practice A-5: Initial establishment of contour stripcropping to protect soil from wind or water erosion.* All cultural operations must be performed as nearly as practicable on the contour. The crop stubble or crop residue must be left standing over winter, or a winter cover crop established, or necessary protective tillage operations carried out, on acreage devoted to row crops. Federal cost-sharing may be authorized for removing stone walls or hedgerows where such removal is neces-

sary to the establishment of an effective contour stripcropping system.

§ 1101.1054 Practice A-6: Initial establishment of field stripcropping to protect soil from wind or water erosion. The crop stubble or crop residue must be left standing over winter, or a winter cover crop established, or necessary protective tillage operations carried out, on acreage devoted to row crops. Federal cost-sharing may be authorized for removing stone walls or hedgerows where such removal is necessary to the establishment of an effective field stripcropping system.

§ 1101.1055 Practice A-7: Initial establishment of a stand of trees or shrubs on farmland for purposes other than the prevention of wind or water erosion. No Federal cost-sharing will be allowed for planting orchard trees, or for plantings for ornamental purposes. If shrubs are used, those that benefit wildlife should be given preference wherever practicable. Plantings must be protected from fire and grazing. Federal cost-sharing may be authorized for clearing land occupied largely by scrubby brush of no economic value to permit planting of desirable tree species. Technical assistance must be utilized to determine the suitability of the land for clearing and the measures necessary to prevent erosion. Federal cost-sharing for fencing shall be limited to permanent fences needed to protect the planted area from grazing, excluding boundary and road fences.

§ 1101.1056 Practice A-8: Initial establishment of a stand of trees or shrubs on farmland to prevent wind or water erosion. Prevention of wind or water erosion on farmland is defined as (a) windbreaks, (b) shelterbelts, (c) gully stabilization, and (d) stabilization of streambanks. The use of this practice should include considerations of enhancement to wildlife habitat. No Federal cost-sharing will be allowed for planting orchard trees, or for plantings for ornamental purposes. Plantings must be protected from fire and grazing. Federal cost-sharing for fencing shall be limited to permanent fences needed to protect the planted area from grazing, excluding boundary and road fences.

Practices Primarily for Improvement and Protection of Established Vegetative Cover

§ 1101.1057 Practice B-1: Improvement of an established vegetative cover for soil or watershed protection. This practice is applicable only to land in permanent vegetative cover which needs more than normal maintenance measures in order to provide adequate soil or watershed protection. The improvement measures approved for cost-sharing shall be those which will extend materially the life of the vegetative cover. Federal cost-sharing may not be approved for normal maintenance measures such as annual topdressings with fertilizer or other mineral elements. This practice is not applicable to land on which the needed improvement measures will constitute complete reestablishment of the vegetative cover.

§ 1101.1058 Practice B-2: Improvement of vegetative cover on rangeland

by artificial reseeding or deferred grazing. No Federal cost-sharing will be allowed if it is determined that any area seeded is grazed before the stand is well established or that any rangeland in the unit is overgrazed.

§ 1101.1059 Practice B-3: Controlling competitive shrubs to permit growth of adequate desirable vegetative cover for soil protection on range or pasture land. On areas where it is determined that the control of competitive shrubs will reduce the vegetative cover to such an extent as to induce erosion, the practice will not be approved unless followed by seeding or other approved erosion control measures.

§ 1101.1060 Practice B-4: Furrowing, chiseling, ripping, scarifying, pitting, or listing noncrop grazing land to prevent soil loss, retard runoff, and improve water penetration. The operation must be performed as nearly as practicable on the contour.

§ 1101.1061 Practice B-5: Constructing wells for livestock water as a means of protecting vegetative cover. The wells must be at locations which will bring about the desired protection of vegetative cover through proper distribution of grazing or better grassland management. Adequate storage facilities must be provided. Pumping equipment must be installed, except for artesian wells. No Federal cost-sharing will be allowed for wells constructed primarily for the use of headquarters, or for costs other than for constructing or deepening wells and for water storage facilities.

§ 1101.1062 Practice B-6: Developing springs or seeps for livestock water as a means of protecting vegetative cover or to make practicable the utilization of the land for vegetative cover. The springs or seeps must be at locations which will bring about the desired protection of vegetative cover through proper distribution of grazing or better grassland management or make practicable the utilization of the land for vegetative cover.

§ 1101.1063 Practice B-7: Constructing or sealing dams, pits, or ponds as a means of protecting vegetative cover or to make practicable the utilization of the land for vegetative cover. The dams, pits, or ponds must be at locations which will bring about the desired protection of vegetative cover through proper distribution of grazing or better grassland management or make practicable the utilization of the land for vegetative cover.

§ 1101.1064 Practice B-8: Installing pipelines for livestock water as a means of protecting vegetative cover or to make practicable the utilization of the land for vegetative cover. The pipelines must deliver water to locations which will bring about the desired protection of vegetative cover through proper distribution of grazing or better grassland management or make practicable the utilization of the land for vegetative cover.

§ 1101.1065 Practice B-9: Constructing permanent fences as a means of protecting vegetative cover. This practice

may be approved only where fencing will contribute to better distribution of livestock and seasonal use of the forage. Fences between pasture and other land will not qualify for cost-sharing.

§ 1101.1066 Practice B-10: Improvement of a stand of forest trees on farmland. Federal cost-sharing may be allowed for any of the following measures: (a) Thinning, (b) pruning crop trees, (c) release of desirable tree seedlings by removing or killing competing and undesirable vegetation, (d) site preparation for natural reseeding, (e) fencing, and (f) erosion control measures on logging roads and trails. The area must be protected from fire. Where seedlings are present or needed, the area must be protected from grazing. Federal cost-sharing for site preparation will be limited to areas which have a sufficient number of desirable seed trees for natural reseeding, which will not restock unless brush, dense litter, and other material on the forest soil is broken up or removed so that soil is exposed, and on which the seed trees will be left until the area is restocked. Technical assistance shall be utilized, if available; otherwise the practice must be carried out in accordance with approved technical forestry standards. Federal cost-sharing for fencing shall be limited to permanent fences needed to protect the area from grazing, excluding boundary and road fences.

Practices Primarily for the Conservation and Disposal of Water

§ 1101.1068 Practice C-1: Initial establishment of permanent sod waterways to dispose of excess water without causing erosion.

§ 1101.1069 Practice C-2: Initial establishment of permanent vegetation as protection against erosion. Federal cost-sharing will be limited to the establishment of permanent vegetation on gullies, dams, dikes, levees, ditchbanks, farm roadsides, filter strips, and field borders. Consideration should be given to choice of plants favorable to wildlife.

§ 1101.1070 Practice C-3: Initial establishment of orchards, vineyards, bush fruits, strawberries, or perennial vegetables on the contour to prevent erosion. All cultural operations must be performed as nearly as practicable on the contour.

§ 1101.1071 Practice C-4: Constructing terraces to detain or control the flow of water and check soil erosion. Necessary protective outlets or waterways must be provided. Federal cost-sharing may be authorized for removing stone walls or hedgerows where such removal is necessary to the establishment of an effective terrace system. Costs of construction may include necessary leveling and filling to permit installation of an effective system.

§ 1101.1072 Practice C-5: Constructing diversion terraces, ditches, or dikes to intercept runoff and divert excess water to protected outlets. Necessary protective outlets or waterways must be provided. Federal cost-sharing may be authorized for removing stone walls or

hedgerows where such removal is necessary to the establishment of an effective terrace system. Costs of construction may include necessary leveling and filling to permit installation of an effective system.

§ 1101.1073 Practice C-6: Constructing erosion control, detention, or sediment retention dams, pits, or ponds to prevent or heal gullying or to retard or reduce runoff of water.

§ 1101.1074 Practice C-7: Constructing channel lining, chutes, drop spillways, pipe drops, drop inlets, or similar structures for the protection of outlets and water channels that dispose of excess water.

§ 1101.1075 Practice C-8: Stream-bank or shore protection, channel clearance, enlargement or realignment, or construction of floodways, levees, or dikes, to prevent erosion or flood damage to farmland. This practice shall not be approved in cases where there is any likelihood that it will create an erosion or flood hazard to other adjacent land, or where its primary purpose is to bring new land into agricultural production.

§ 1101.1076 Practice C-9: Constructing permanent open drainage systems to dispose of excess water. Federal cost-sharing may be authorized for clearing the necessary minimum width right-of-way. Federal cost-sharing may be authorized for the spreading of spoil banks where this is necessary for the effective utilization of the drainage system. No Federal cost-sharing will be allowed for ditches, the primary purpose of which is to bring new land into agricultural production. This practice is not applicable to land other than that devoted to the production of cultivated crops or crops normally seeded to hay or pasture during at least 2 of the 5 years preceding that in which the practice is applied; provided, however, that upon a showing by a farmer applicant for this practice that the land on which the practice is to be applied was in cultivated crops, tame hay, or seeded pasture 2 years out of 10 years preceding the application applied for, he may be allowed cost-shares as to such land. The installation of this practice on eligible land shall not be ineligible for cost-shares because its use results in incidental drainage on ineligible land. No Federal cost-shares are allowable for cleaning a ditch, installing crossing structures, or for other structures primarily for the convenience of the farm operator. In the installation of drainage systems, due consideration shall be given to the maintenance of wildlife habitat.

§ 1101.1077 Practice C-10: Installing underground drainage systems to dispose of excess water. No Federal cost-sharing will be allowed for systems, the primary purpose of which is to bring new land into agricultural production. This practice is not applicable to land other than that devoted to the production of cultivated crops or crops normally seeded to hay or pasture during at least 2 of the 5 years preceding that in which the practice is applied; provided, however, that upon a showing by a farmer

applicant for this practice that the land on which the practice is to be applied was in cultivated crops, tame hay, or seeded pasture 2 years out of 10 years preceding the application applied for, he may be allowed cost-shares as to such land. The installation of this practice on eligible land shall not be ineligible for cost-shares because its use results in incidental drainage on ineligible land. In the installation of drainage systems, due consideration shall be given to the maintenance of wildlife habitat.

§ 1101.1078 Practice C-11: Shaping or land grading to permit effective surface drainage. No Federal cost-sharing will be allowed for any shaping or grading which is performed through farming operations in connection with land preparation for planting or cultivation of crops. No Federal cost-sharing will be allowed for shaping or land grading on land which was not devoted to the production of cultivated crops or crops normally seeded for hay or pasture in the area during at least 2 of the last 5 years.

§ 1101.1079 Practice C-12: Reorganizing irrigation systems to conserve water and prevent erosion. The practice must be carried out in accordance with a reorganization plan approved by the responsible technician. No Federal cost-sharing will be allowed for cleaning a ditch, or for structures installed for crossings, or for other structures primarily for the convenience of the farm operator, or for portable pipe. No Federal cost-sharing will be allowed for reorganizing an irrigation system if the primary purpose for the reorganization is to bring additional land under irrigation, or for reorganizing a system which was not in use during at least 2 of the last 5 years.

§ 1101.1080 Practice C-13: Leveling land for more efficient use of irrigation water and to prevent erosion. No Federal cost-sharing will be allowed for floating or restoration of grade; however, the leveling operation may be completed over a period of more than one program year on a component basis where the size of cuts and fills is such that a heavy leveling operation will be needed following settlement of the original fills. No Federal cost-sharing will be allowed for leveling land if the primary purpose of the leveling is to bring into agricultural production land which was not devoted to the production of cultivated crops or crops normally seeded for hay or pasture in the area during at least 2 of the last 5 years. The leveling must be carried out in accordance with a plan approved by the responsible technician.

§ 1101.1081 Practice C-14: Constructing or lining dams, pits, or ponds for irrigation water. The purpose of this practice is to conserve agricultural water or to provide water necessary for the conservation of soil resources. No Federal cost-sharing will be allowed for constructing or lining dams, pits, or ponds, the primary purpose of which is to bring into agricultural production land which was not devoted to the production of cultivated crops or crops normally seeded for hay or pasture in the area during at least 2 of the last 5 years.

§ 1101.1082 Practice C-15: Lining irrigation ditches to prevent erosion and loss of water by seepage. This practice is limited to ditches that are properly located and constructed as a part of an existing irrigation system.

§ 1101.1083 Practice C-16: Constructing spreader ditches or dikes to divert and spread water to prevent erosion, to permit beneficial use of runoff, or to replenish ground water supply.

CONSERVATION PRACTICES WITH BENEFITS OF LIMITED DURATION, GENERALLY REQUIRING PERIODIC REPETITION

Practices Primarily for Establishing Temporary Protective Vegetative Cover

§ 1101.1085 Practice D-1: Establishment of vegetative cover for winter protection from erosion. A good stand and good growth must be obtained in sufficient time to protect the area in the fall and winter of 1958 or 1959 and must be maintained on the land to a date specified in the county program. Pasturing consistent with good management may be permitted, but none of the growth may be harvested for hay or seed, except that the State committee may authorize the harvesting of the growth for hay or silage in areas where it determines that a serious shortage of hay or silage exists due to adverse weather conditions and the growth harvested is needed for use on farms in the area. Volunteer stands will not qualify for cost-sharing. The Federal cost-share for this practice shall not be in excess of 50 percent of the average cost of seed and fertilizer. The quantity of fertilizer, if any, on which costs are shared shall be only that quantity needed for successful establishment of the cover crop.

§ 1101.1086 Practice D-2: Establishment of vegetative cover for summer protection from erosion. A good stand and good growth must be obtained and left on the land or turned under. Pasturing consistent with good management may be permitted, but none of the growth may be harvested for hay or seed, except that the State committee may authorize the harvesting of the growth for hay or silage in areas where it determines that a serious shortage of hay or silage exists due to adverse weather conditions and the growth harvested is needed for use on farms in the area. Volunteer stands will not qualify for cost-sharing. The Federal cost-share for this practice shall not be in excess of 50 percent of the average cost of seed and fertilizer. The quantity of fertilizer, if any, on which costs are shared shall be only that quantity needed for successful establishment of the cover crop.

§ 1101.1087 Practice D-3: Establishment of vegetative cover for green manure and for protection from erosion. Federal cost-sharing will be limited to acreages of biennial or perennial legumes or perennial grasses, or mixtures of such legumes with adapted grasses, seeded during the 1959 program year. A good stand and good growth must be obtained. Pasturing consistent with good management may be permitted, but none of the growth may be harvested for hay or seed,

except that the State committee may authorize the harvesting of the growth for hay or silage in areas where it determines that a serious shortage of hay or silage exists due to adverse weather conditions and the growth harvested is needed for use on farms in the area. Volunteer stands will not qualify for cost-sharing. The Federal cost-share for this practice shall not be in excess of 50 percent of the average cost of seed and fertilizer. The quantity of fertilizer, if any, on which costs are shared shall be only that quantity needed for successful establishment of the green manure or cover crop.

§ 1101.1088 Practice D-4: Establishment of vegetative cover to protect cropland throughout the 1959 crop year. This practice is applicable only to cropland which is being shifted for the entire 1959 crop year from crop production to green manure or cover crops. Eligible seedings may consist of single seedings or successive seedings of grasses, legumes, small grains, or other crops which will provide adequate soil protection for the required period. Where annuals alone are used, at least two successive seedings must be made. Pasturing consistent with good management may be permitted. No crop may be harvested for seed in 1959. No annual crop seeded in the fall of 1959 may be harvested for seed in 1960 if such seeding is one of the two required seedings of such annual crops. No crop may be harvested for hay or silage in 1959, and no annual crop seeded in the fall of 1959 may be harvested for hay or silage in 1960 if such seeding is one of the two required seedings of such annual crops, except that the State committee may authorize the harvesting of the growth for hay or silage in areas where it determines that a serious shortage of hay or silage exists due to adverse weather conditions and the growth harvested is needed for use on farms in the area. One of the two required seedings of annuals may be a volunteer seeding which provides adequate soil protection, but no Federal cost-sharing may be allowed for the volunteer seeding.

Practices Primarily for the Temporary Protection of Soil From Wind and Water Erosion

§ 1101.1090 Practice E-1: Stubble mulching to improve soil permeability and to protect soil from wind and water erosion. Tillage operations must be such as to leave sufficient crop or weed residue on the surface or mixed in the upper part of the soil to provide protection against wind and water erosion.

§ 1101.1091 Practice E-2: Initial establishment of contour farming operations on nonterraced land to protect soil from wind or water erosion. All cultural operations must be performed as nearly as practicable on the contour. The crop stubble or crop residue must be left standing over winter, or a winter cover crop established, or necessary protective tillage operations carried out, on acreage devoted to row crops. This practice is not applicable on any acreage for which Federal cost-sharing is approved

under § 1101.1053. Federal cost-sharing may be authorized for removing stone walls or hedgerows where such removal is necessary to the establishment of an effective contour farming system.

§ 1101.1092 Practice E-3: Wind erosion control operations in serious wind erosion areas. Applicable only in areas where the Administrator, ACPS, upon the recommendation of the State ACP Development Group, determines there is a serious wind erosion problem for 1959. Eligible operations shall be confined to those having the most enduring benefits practically attainable under existing conditions.

CONSERVATION PRACTICES WITH LIMITED AREA APPLICABILITY

Practices To Meet Special County Conservation Needs

§ 1101.1094 Practice F-1: Special conservation practices. Consistent with the principles set forth in § 1101.1001, the county committee and designated representatives of the Soil Conservation Service and the Forest Service at the county level may recommend, and the State committee and designated representatives of the Soil Conservation Service and the Forest Service at the State level may approve, for use in a county, practices included in this subpart for which there is need locally on a substantial number of farms but which are not selected for use in the State. Such approval shall be subject to review by the Administrator, ACPS, as to compliance with the provisions contained in this subpart.

§ 1101.1095 Practice F-2: County conservation practices. Consistent with the principles set forth in § 1101.1001, the Administrator, ACPS, may approve for use in a county, practices which are not included in this subpart which are needed to meet particular conservation problems in the county. Such approval may be given only upon the recommendation of the State and county committees and designated representatives of the Soil Conservation Service and the Forest Service at both the county and State levels, and upon their finding (a) that the conservation problem exists on a substantial number of farms in the county, (b) that the practices contained in this subpart will not provide adequate treatment of the problem, (c) that the proposed practice will adequately meet the problem, (d) that the proposed practice would not be performed without Federal cost-sharing, (e) that the proposed practice will provide the most enduring solution to the problem practically attainable under existing circumstances, (f) that the proposed practice is one on which the offering of financial assistance is fully justified as being in the public interest, and (g) that the proposed practice meets the standards and requirements of comparable practices contained in this subpart. Costs will not be shared under this practice for elements of performance for which cost-sharing is specifically precluded by the wording of a similar practice or elsewhere in this subpart. Approval by the Administrator, ACPS, of a practice for one county does not constitute authority

for extending the practice to other counties without such approval.

§ 1101.1096 Practice F-3: Practices to meet new conservation problems. Consistent with the principles set forth in § 1101.1001, the Administrator, ACPS, may approve for use in a county, practices for the treatment of critical conservation problems, primarily those which have arisen subsequent to the initiation of the program in the county. Such approval may be given only upon the recommendation of the State and county committees and designated representatives of the Soil Conservation Service and the Forest Service at both the county and State levels, and upon their finding (a) that the conservation problem exists on a substantial number of farms in the county, (b) that the practices contained in this subpart will not provide adequate treatment of the problem, (c) that the proposed practice will adequately meet the problem, (d) that the proposed practice would not be performed without Federal cost-sharing, (e) that the offering of Federal cost-sharing for the proposed practice is justified as within the scope of national conservation objectives, (f) that adequate facilities, including technical services, will be available to permit the practice to be carried out effectively, and (g) that treatment of the problem cannot be safely delayed until a subsequent program.

Done at Washington, D. C., this 3d day of July 1958.

[SEAL]

E. L. PETERSON,
Assistant Secretary.

[F. R. Doc. 58-5270; Filed, July 9, 1958; 8:51 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

[1958 C. C. C. Grain Price Support Bulletin 1, Amdt. 1]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—GENERAL PROVISIONS 1958-CROP PRICE SUPPORT PROGRAMS FOR GRAINS AND RELATED COMMODITIES

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service (23 F. R. 2663) and containing regulations of a general nature with respect to price support programs for certain grains and other commodities produced in 1958 are amended as follows:

1. Section 421.3006 (a) is amended to provide that the approval of storage structures by the county committee shall be under the supervision and direction of the State committee so that the amended paragraph reads as follows:

§ 421.3006 Approved storage. * * *

(a) *Farm storage.* Approved farm storage shall consist of storage struc-

tures located on or off the farm (excluding public warehouses), which are determined by the county committee under the supervision and direction of the State committee to be so located and of such substantial and permanent construction as to afford safe storage of the commodity.

2. Section 421.3009 (a) is amended by adding "for each warehouse receipt" to footnote 2 of the service charge table so that the subparagraph with the amended footnote 2 reads as follows:

§ 421.3009 *Service charges.* (a) Producers shall pay the following service charges on the quantity of the commodity placed under loan or specified in the purchase agreement. In the case of loans, the service charges shall be collected from the proceeds of the loan at the time the loan is disbursed except for prepayment of such minimum service charges as may be required under paragraph (b) of this section. In the case of purchase agreements, the service charges shall be collected at the time the purchase agreement form (Commodity Purchase Form 1) is completed. Such service charges shall be computed at the rates shown in column (2) of the following table for commodities the quantity of which is determined on the basis of bushels, and at the rates shown in column (3) for commodities the quantity of which is determined on the basis of 100 pounds. An additional service charge shall be paid on any additional quantity delivered to and accepted by CCC under a farm-storage loan or not redeemed in the case of an identity-preserved warehouse-storage loan.

Method of price support (1)	Service charges		
	Per bushel (2)	Per 100 pounds (3)	Minimum charges (4)
	Cents	Cents	
Farm-storage loans.....	1	2	\$3.00
Warehouse-storage loans.....	1 1/2	2 1/2	1.50
Purchase agreements.....	1 1/2	1	1.50

1 With respect to rice, State committees are authorized to require payment of \$5.00 for each lot sampled.

2 With respect to rice, the service charge for warehouse-storage loans shall be 2 cents per 100 pounds with a minimum charge of \$3.00 for each warehouse receipt.

3. Section 421.3020 is amended to delete Chicago and add Evanston to the list of CSS commodity offices so that the amended section reads as follows:

§ 421.3020 *CSS commodity offices.* The CSS commodity offices and the areas served by them are shown below:

Evanston, Illinois, 2201 Howard Street; Connecticut, Delaware, Illinois (except for rice), Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia.

Dallas 1, Texas, 500 South Ervay Street; Alabama, Arkansas, Florida, Georgia, Illinois (for rice only), Louisiana, Mississippi, Missouri (for rice only), New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas.

Kansas City 11, Missouri, 560 Westport Road; Colorado, Kansas, Missouri (except for rice), Nebraska, Wyoming.

Minneapolis 8, Minnesota, 1006 West Lake Street; Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

Portland 5, Oregon, 1218 Southwest Washington Street; Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 301, 401, 63 Stat. 1051, 66 Stat. 758, 70 Stat. 188, 15 U. S. C. 714c; 7 U. S. C. 1441, 1447, 1421)

Issued this 3d day of July 1958.

[SEAL] WALTER C. BERGER,
Executive Vice President,
Commodity Credit Corporation.

[P. R. Doc. 58-5275; Filed, July 9, 1958;
8:51 a.m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6895]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

MASTER FURRIERS, INC., ET AL.

Subpart—Advertising falsely or misleadingly: § 13.155 Prices: Comparative; exaggerated as regular and customary; sales below cost. Subpart—Invoicing products falsely: § 13.1108 Invoicing products falsely: Fur products labeling act. Subpart—Misbranding or mislabeling: § 13.1280 Price. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements: Fur Products Labeling Act.*

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; Sec. 6, 65 Stat. 179; 15 U. S. C. 45, 69f) [Cease and desist order, Master Furriers, Inc. (Baltimore, Md.), et al., Docket 6895, June 10, 1958]

In the Matter of Master Furriers, Inc., a Corporation, and Ernest E. Marx, Erwin C. Bein and Sally Marx, Individually and as Officers of Said Corporation; Frank-Cunningham Stores Corporation, a Corporation, Trading as L. Frank Company, and I. David Israel, Harry Israel, Oscar Israel, Oscar Balamut and Martin Israel, Individually and as Officers of Said Corporation; M. J. Swartz, an Individual

This proceeding was heard by a hearing examiner on the complaint of the Commission charging furriers doing business in Baltimore and New York City with violating the Fur Products Labeling Act by representing that fictitious prices on labels affixed to fur products were the regular retail selling prices; by failing to comply with invoicing requirements; by advertising in newspapers which represented falsely that fur products were being sold "below cost" and were reduced from regular prices which were in fact fictitious, and which used comparative prices and percentage saving claims not based on usual retail prices; and by failing to keep adequate records as a basis for such pricing claims.

Following acceptance of an agreement containing a consent order, the hearing examiner made his initial decision and

order to cease and desist which became on June 10 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondent, Master Furriers, Inc., a corporation, and its officers, and respondents Ernest E. Marx and Erwin C. Bein, individually and as officers of said corporation, and respondent M. J. Swartz, an individual, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the introduction into commerce or the sale advertising, offering for sale, transportation or distribution, of fur products, in commerce, or in connection with the sale, advertising, offering for sale, transportation or distribution of fur products which have been made in whole or in part of fur which has been shipped or received in commerce as "commerce", "fur" and "fur products" are defined in the Fur Products Labeling Act do forthwith cease and desist from:

A. Misbranding fur products by:

1. Representing on labels affixed to fur products, or in any other manner, that certain amounts are the regular and usual prices of fur products when such amounts are in excess of the prices at which respondents usually and customarily sell such products in the recent regular course of their business.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur products as set forth in the Fur Products Name Guide and as prescribed under the Rules and Regulations.

(b) That the fur product contains or is composed of used fur, when such is the fact.

(c) That the fur product contains or is composed of bleached, dyed or otherwise artificially colored fur, when such is the fact.

(d) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact.

(e) The name and address of the person issuing such invoice.

(f) The name of the country of origin of any imported furs contained in the fur product.

(g) The item number or mark assigned to a fur product.

2. Setting forth information required under section 5 (b) (1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

C. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly in the sale or offering for sale of fur products, and which:

1. Represents, directly or by implication:

(a) That retail prices of fur products are reduced or that fur products are

being sold "below cost" or "below whole-sale cost", when such is not the fact.

(b) That respondent's regular price of any fur product is any amount which is in excess of the price at which respondents have regularly or customarily sold fur products of similar grade and quality in the recent course of their business.

2. Makes use of comparative prices or percentage savings claims in advertisements unless such compared prices or percentage savings claims are based upon the current market value of the fur product or unless a bona fide price at a designated time is stated.

3. Makes pricing claims and representations of the types referred to in paragraphs C 1 (a) and (b) and C 2 hereof, unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims or representations are based as required by Rule 44 (e) of the rules and regulations.

It is further ordered, That the complaint herein be dismissed as to respondent Sally Marx.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondent Master Furriers, Inc., a corporation, and Ernest E. Marx and Erwin C. Bein, individually and as officers of said corporation, and M. J. Swartz, an individual, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: June 10, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 58-5253; Filed, July 9, 1958;
8:47 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 1673]

[Anchorage 027871]

ALASKA

WITHDRAWING PUBLIC LANDS FOR USE OF DEPARTMENT OF THE ARMY FOR MILITARY PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public

land laws, including the mining and mineral-leasing laws, and reserved for use of the Department of the Army for military purposes:

SEWARD MERIDIAN

T. 14 N., R. 2 W.,

Sec. 9, that part lying south and east of the Alaska Railroad right-of-way;
Sec. 10, that part lying south and east of the Alaska Railroad right-of-way and south of Eagle River;
Sec. 11, that part of the W $\frac{1}{2}$ lying south and west of Eagle River;
Sec. 16, that part lying east of the Alaska Railroad right-of-way;
Sec. 17, that part lying east of the Alaska Railroad right-of-way;
Sec. 19, lot 6, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, those parts lying south and east of the Alaska Railroad right-of-way.

The areas described aggregate approximately 1,401 acres.

ROGER ERNST,
Assistant Secretary of the Interior.

JULY 2, 1958.

[F. R. Doc. 58-5249; Filed, July 9, 1958;
8:46 a. m.]

[Public Land Order 1674]

[79482]

UTAH

PARTIALLY REVOKING THE EXECUTIVE ORDER
OF APRIL 17, 1926, CREATING PUBLIC WATER
RESERVE NO. 107

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U. S. C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. The Executive Order of April 17, 1926, creating Public Water Reserve No. 107, is hereby revoked so far as it affects the following-described lands:

SALT LAKE MERIDIAN

T. 13 N., R. 18 W.,
Sec. 8, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described contains 40 acres.
2. The lands are rough and mountainous in character, and are located in Utah Grazing District No. 1.

3. No application for the restored lands may be allowed under the homestead, desert-land, small tract, or any other nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

4. Subject to any valid existing rights and the requirements of applicable law, the lands are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Applications and selections under the nonmineral public-land laws may be

presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284 as amended), presented prior to 10:00 a. m. on August 8, 1958, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on November 7, 1958, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public-land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a. m. on November 7, 1958, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

5. The lands have been open to applications and offers under the mineral leasing laws, and to location for metaliferous minerals. They will be open to application for nonmetaliferous minerals under the United States mining laws beginning at 10:00 a. m. on November 7, 1958.

6. Persons claiming veterans preference rights must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Salt Lake City, Utah.

ROGER ERNST,
Assistant Secretary of the Interior.

JULY 3, 1958.

[F. R. Doc. 58-5250; Filed, July 9, 1958;
8:46 a. m.]

PROPOSED RULE MAKING

INTERSTATE COMMERCE
COMMISSION

[49 CFR Part 170]

[Ex Parte No. MC-37]

COMMERCIAL ZONES AND TERMINAL AREAS
PROPOSED REVISION OF DEFINITION OF
BOUNDARY OF ALBUQUERQUE, N. MEX.,
COMMERCIAL ZONE

JULY 2, 1958.

Pursuant to section 4 (a) of the Administrative Procedure Act (60 Stat. 237, 5 U. S. C. 1003) notice is hereby given that, for the purpose of including additional points and areas, which by reason of industrial and other developments and growth have become a part thereof, within the defined limits of the zone which is adjacent to and commercially a part of Albuquerque, N. Mex., within the meaning of section 203 (b) (8) of the Interstate Commerce Act, the Interstate Commerce Commission, informed by experience and by an informal investigation, proposes to modify and redefine, as hereinafter indicated, the limits of the zone adjacent to and commercially a part of Albuquerque, N. Mex., heretofore determined by the application of the population-mileage formula prescribed in Commercial Zones and Terminal Areas, 46 M. C. C. 665, 49 CFR 170.16, and to revise description of such zone limits to read as follows:

(a) The municipality of Albuquerque, N. Mex., itself.

(b) All points within a line drawn five miles beyond the corporate limits of Albuquerque, N. Mex.

(c) All municipalities any part of which is within the limits of the boundary defined in (b) above.

(d) All of any municipality wholly surrounded, or so surrounded except for a water boundary, by the city of Albuquerque or by any municipality included under the terms of (c) above.

No oral hearing is contemplated, by anyone wishing to make representations in favor of, or against, the above-proposed revision of the defined boundary of the Albuquerque, N. Mex., commercial zone may do so by the submission of written data, views, or arguments. An original and five copies of such data, views, or arguments shall be filed with the Commission on or before August 11, 1958.

Notice to the general public of the action herein taken shall be given by depositing a copy of this notice in the Office of the Secretary of the Commission for public inspection and by filing a copy thereof with the Director, Federal Register Division.

By the Commission, Division 1.

[SEAL]

HAROLD D. MCCOY,
Secretary.[P. R. Doc. 58-5255; Filed, July 9, 1958;
8:48 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 171]

LEASING OF INDIAN TRIBAL LANDS FOR
MINERALS OTHER THAN OIL AND GAS

LEASES TO BE MADE BY TRIBES

Notice is hereby given of intention to amend 25 CFR Part 171.2, to read as set forth below. The purpose of this amendment is to provide that leases for minerals other than oil and gas on Indian tribal lands shall be advertised for bids in the same manner as oil and gas leases unless the Commissioner grants permission to the tribal authorities to negotiate a lease. The amendment also outlines procedures for negotiation.

All interested persons are hereby given the opportunity to submit in writing views, data, and arguments concerning the proposed addition, to the Commissioner of Indian Affairs, Department of the Interior, Washington 25, D. C., within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

ROGER ERNST,

Assistant Secretary of the Interior.

JULY 2, 1958.

1. Section 171.2 is amended to read as follows:

§ 171.2 *Leases to be made by tribes.* Indian tribes, bands or groups may, with the approval of the Secretary of the Interior or his authorized representative, lease their land for mining purposes. No oil and gas lease shall be approved unless it has first been offered at an advertised sale in accordance with § 171.3. Leases for minerals other than oil and gas shall be advertised for bids as prescribed in § 171.3 unless the Commissioner grants to the Indian owners written permission to negotiate for a lease. Negotiated leases, accompanied by proper bond and other supporting papers, shall be filed with the Superintendent of the appropriate Indian Agency within 30 days after such permission shall have been granted by the Commissioner to negotiate the lease. The appropriate Area Director is authorized in proper cases to grant a reasonable extension of this period prior to its expiration. The right is reserved to the Secretary of the Interior to direct that negotiated leases be rejected and that they be advertised for bids. All leases shall be approved by the Secretary of the Interior or his duly authorized representative.

[P. R. Doc. 58-5252; Filed, July 9, 1958;
8:47 a. m.]FEDERAL COMMUNICATIONS
COMMISSION

[47 CFR Parts 2, 3]

[Docket No. 6741]

CLEAR CHANNEL BROADCASTING IN THE
STANDARD BROADCAST BANDORDER EXTENDING TIME FOR FILING
COMMENTS

1. The Commission has before it for consideration petitions filed June 17 and 19, 1958, by Westinghouse Broadcasting Company, Inc., and by CBS Radio, a division of Columbia Broadcasting System, Inc., requesting the Commission to extend the time for filing comments in the above-entitled proceeding from July 15, 1958, to September 15, 1958.

2. On April 15, 1958, the Commission issued a Further Notice of Proposed Rule Making in this proceeding. The subject petitions are licensees of clear channel stations on the frequencies 780, 880, 1020, 1030, 1100, and 1120 kc. They assert that they intend to file comments in response to the said Notice, and state that complete engineering studies will be made of each of the frequencies now assigned to their respective clear channel stations. Petitioners contend that additional time is needed to complete these engineering studies and to prepare written comments based thereon. They assert that an additional two months or until September 15, 1958, are needed to complete this work.

3. The Commission is of the view that the requested two month extension would unduly delay the expeditious consideration and disposition of this proceeding but that a one month extension of time for filing comments is warranted and would serve the public interest, convenience and necessity.

4. In view of the foregoing: *It is ordered*, That the aforementioned June 17 and 19, 1958, petitions of Westinghouse Broadcasting Company, Inc. and of CBS Radio, a division of Columbia Broadcasting System, Inc., are granted in part and are denied in part; that the time for filing comments in the above-entitled proceeding is extended from July 15, 1958, to August 15, 1958; and that the time for filing reply comments is extended from August 29, 1958, to September 29, 1958.

Adopted: June 27, 1958.

Released: June 30, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL]

MARY JANE MORRIS,
Secretary.[P. R. Doc. 58-5262; Filed, July 9, 1958;
8:50 a. m.]

[47 CFR Part 3]

[Docket No. 12076]

TABLE OF ASSIGNMENTS, TELEVISION
BROADCAST STATIONSORDER EXTENDING TIME FOR FILING REPLIES
TO OPPOSITIONS

In the matter of amendment of § 3.606, Table of Assignments, Television Broadcast Stations. (Erie, Pennsylvania; Akron-Cleveland, Ohio; Clarksburg and Weston, West Virginia; Flint-Saginaw-Bay City, Michigan.)

1. The Commission has before it for consideration a motion, filed July 1, 1958, by Summit Radio Corporation for an extension of time to file its reply to the oppositions of Dispatch, Inc., W. S. But-

terfield Theatres, Inc., and Trebit Corporation to Summit Radio Corporation's Petition for Reconsideration in the above-entitled matter. Movant asks that the date for filing its reply be extended from July 2, 1958, to July 9, 1958.

2. In support of this request, Summit Radio Corporation asserts that in view of the number of issues in this proceeding, together with the fact that counsel for Summit Radio will be away from his office, a brief extension of time for filing its reply is needed.

3. The Commission is of the view that the public interest, convenience, and necessity would be served by extending the time for filing replies to oppositions to the Summit Radio Corporation Peti-

tion for Reconsideration in this proceeding.

4. In view of the foregoing: *It is ordered*, That the motion of Summit Radio Corporation for extension of time to file replies is granted and that the time for filing replies to oppositions to the aforesaid Petition for Reconsideration in the above-entitled proceeding is extended from July 2, 1958, to July 9, 1958.

Adopted: July 3, 1958.

Released: July 7, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-5263; Filed, July 9, 1958;
8:50 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

REVOCATION OF AIR NAVIGATION SITE
WITHDRAWAL NO. 5

JULY 3, 1958.

1. By virtue of the authority contained in section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U. S. C. 214) and pursuant to section 2.5 of Bureau of Land Management Delegation of Authority, Order No. 541 of April 21, 1954 (19 F. R. 2473) as amended, it is ordered as follows:

The order of the Regional Administrator of January 18, 1954 (19 F. R. 432) reserving the following-described lands near McGrath, Alaska, as Air Navigation Site Withdrawal No. 3, as amended by order of February 10, 1954 (19 F. R. 961) and changed to Air Navigation Site No. 4, and as further amended by undated order in 19 F. R. 2027 (issue of April 8, 1954) to describe Air Navigation Site Withdrawal No. 5, is hereby revoked.

FAREWELL LANDING

Beginning at a point which bears N. 4°38' E., 415 feet and N. 75°30' W., 111 feet from the northwest corner of the 20' by 50' C. A. A. building used as a mess hall, said point of beginning located at approximately longitude 154°51' W. and latitude 62°59' N., and marked by a 1/4" iron pipe; thence by metes and bounds,

East, 500 feet;

South, 965 feet;

West, 500 feet to a point marked by a 2" square hub;

West, 76 feet to a point on the east bank of the Kuskokwim River;

Northerly on a meander line of the east bank of the Kuskokwim River to a point which bears west from the point of beginning;

East, 30 feet to the point of beginning.

Containing 12.25 acres more or less.

2. Subject land is located on the east bank (left limit) of the Kuskokwim River at Farewell Landing approximately 52 miles up river from McGrath. The lands are generally level in this area and the subject tract is easily accessible from

the river. The tract has tundra cover of which about half has been stripped during occupancy of the Civil Aeronautics Administration. Scattered spruce ranging from 1" to 24" in diameter are found in the general area and the edge of the timber reaches to within 200 feet of the northern part of the tract.

3. In accordance with section 202 (b) of the act of July 28, 1956 (70 Stat. 709; 711; 712) and subject to the requirements of the act, the Territory of Alaska shall be entitled, for a period of 90 days from July 3, 1958 to a preferred right of selection of the land, except as against prior existing valid rights or as against equitable claims subject to allowance and confirmation, for use in connection with the mental health program of the Territory.

4. Subject to any valid existing rights and the requirements of applicable law, the lands described in paragraph 1 hereof, are hereby opened to settlement and to filing of such applications, selections, and locations as are allowable on unsurveyed lands in accordance with the following:

a. Subject to the application and claims described in paragraph 3 above and b (1) below, the lands, beginning at 10:00 a. m. on October 2, 1958, will be subject to settlement under the Homestead and Alaska Home Site Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284, as amended). Beginning 10:00 a. m. on December 31, 1958, any remaining lands will be subject to settlement under these laws by other qualified persons.

b. Applications and selections under the nonmineral public land laws and applications and offers under the mineral leasing laws may be presented to the Manager mentioned below, beginning on July 3, 1958. Such applications, selections, and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having preference rights conferred by existing laws or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284 as amended), presented prior to 10:00 a. m. on October 2, 1958, will be considered as simultaneously filed at that hour. Rights under such preference right applications after that hour and before 10:00 a. m. December 31, 1958, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public land laws, other than those coming under paragraphs (1) and (2) above, and applications and offers under the mineral leasing laws, presented prior to 10:00 a. m. on December 31, 1958, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

c. The lands will be open to location under the United States mining laws, in the absence of the filing of an application by the Territory as described in paragraph 3 of this order, beginning at 10:00 a. m. on December 31, 1958.

Persons claiming veterans' preference rights under paragraph b (2) above must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon statutory preference or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may

be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

5. Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Fairbanks, Alaska.

RICHARD L. QUINTUS,
Fairbanks Operations Supervisor.

[F. R. Doc. 58-5245; Filed, July 9, 1958;
8:46 a. m.]

NEVADA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

JULY 2, 1958.

The Corps of Engineers on behalf of the Department of the Air Force has filed an application, Serial No. Nevada 035794, for the withdrawal of the lands described below, from all forms of appropriation, including the mining and mineral leasing laws. The land in T. 18 S., R. 62 E. is presently withdrawn from all forms of appropriation under the public land laws, except mining and mineral leasing, as a part of the Desert Game Range. The applicant desires the land for a gunnery range in connection with Nellis Air Force Base.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, P. O. Box 1551, Reno, Nevada.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

MOUNT DIABLO MERIDIAN, NEVADA

- T. 18 S., R. 62 E.,
Secs. 13 to 17, inclusive;
Secs. 20 to 29, inclusive;
Secs. 32 to 36, inclusive;
T. 19 S., R. 62 E.,
Secs. 1 to 5, inclusive;
Secs. 8 to 11, inclusive;
Sec. 12, W $\frac{1}{2}$;
Secs. 16 and 17.
T. 18 S., R. 63 E.,
Sec. 18, W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, Lots 1 to 4, inclusive;
Sec. 19, W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, Lots 1 to 4, inclusive;
Sec. 30, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, Lots 1 to 4, inclusive;
Sec. 31, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Lots 1 to 4, inclusive.

The area described contains 21,513.56 acres more or less.

W. REED ROBERTS,
Acting State Supervisor.

[F. R. Doc. 58-5246; Filed, July 9, 1958;
8:45 a. m.]

NEVADA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

JULY 1, 1958.

General Services Administration has filed an application, Serial No. Nevada 024104, for the withdrawal of the lands described below, from all forms of appropriation, including the mining and mineral leasing laws. The land is presently withdrawn from all forms of appropriation under the public land laws, other than mining and mineral leasing, as a part of the Nevada National Forest. The applicant desires the land for administrative purposes to protect a millsite previously withdrawn under Public Land Order 27, dated August 12, 1942.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, P. O. Box 1551, Reno, Nevada.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

MOUNT DIABLO MERIDIAN, NEVADA

- T. 12 N., R. 36 E.,
Sec. 34, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

The area described contains 20 acres more or less.

W. REED ROBERTS,
Acting State Supervisor.

[F. R. Doc. 58-5247; Filed, July 9, 1958;
8:46 a. m.]

IDAHO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

JULY 2, 1958.

The Dept. of Agriculture, U. S. Forest Service has filed an application, Serial No. Idaho 08927, for the withdrawal of the lands described below, from location and entry under the General Mining Laws, subject to existing valid claims. The applicant desires the land for recreation areas and public camp grounds.

For a period of thirty days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, P. O. Box 2237, Boise, Idaho.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

SELWAY RIVER STREAMSIDE RECREATIONAL ZONE

A strip of land 200 feet wide on the north-erly side of the Selway River contiguous to and beginning at the mean high water mark and a strip of land 100 feet wide on the southerly side of the Selway River contiguous to and beginning at the mean high water mark, extending east of the confluence of the Lochsa and Selway Rivers to the boundary of the Selway-Bitterroot Primitive Area, through the following described subdivisions or so much of said widths as may be situated within said subdivisions, comprising an area of 760 acres of national forest land more or less:

- T. 32 N., R. 7 E.,
Sec. 9, Lots 2, 3, 6, 7, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 10, Lot 7;
Sec. 15, Lots 5, 6;
Sec. 22, Lots 1, 2, 4, 5, 6;
Sec. 23, Lots 1, 2, 3, 4, 5;
Sec. 24, Lots 2, 3;
Sec. 25, Lots 1, 2, 4, 5, 6, 7;
Sec. 26, Lots 2, 3.
T. 32 N., R. 8 E.,
Unsurveyed, but when surveyed will probably be:
Sec. 25, S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 26, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 27, N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 28, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 29, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 30, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 35, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 36, N $\frac{1}{2}$ N $\frac{1}{2}$.
T. 31 N., R. 9 E.,
Unsurveyed, but when surveyed will probably be:
Sec. 2, SW $\frac{1}{4}$;
Sec. 3, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$;
Sec. 11, N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 12, N $\frac{1}{2}$.
T. 32 N., R. 9 E.,
Unsurveyed, but when surveyed will probably be:
Sec. 30, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 31, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$;
Sec. 32, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 33, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 31 N., R. 10 E.,
Unsurveyed, but when surveyed will probably be:
Sec. 7, N $\frac{1}{2}$ N $\frac{1}{2}$.

RACKLIFF CREEK RECREATION AREA (UNSURVEYED)

- T. 32 N., R. 8 E.,
Sec. 29, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.
Approximately 10 acres.

NINETEEN MILE RECREATION AREA (UNSURVEYED)

- T. 32 N., R. 8 E.,
Sec. 29, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$.
Approximately 10 acres.

TWENTY MILE BAR RECREATION AREA (UNSURVEYED)

- T. 32 N., R. 8 E.,
Sec. 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.
Approximately 10 acres.

SLIDE CREEK RECREATION AREA (UNSURVEYED)

- T. 32 N., R. 8 E.,
Sec. 27, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.
Approximately 10 acres.

BOYD CREEK RECREATION AREA (UNSURVEYED)

- T. 32 N., R. 8 E.,
Sec. 27, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.
Approximately 10 acres.

ROCK ISLAND RECREATION AREA (UNSURVEYED)

T. 32 N., R. 8 E.,
Sec. 26, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.
Approximately 2 acres.

RACE CREEK RECREATION AREA (UNSURVEYED)

T. 31 N., R. 9 E.,
Sec. 12, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.
Approximately 10 acres.

MEADOW CREEK STREAMSIDE ZONE AND RECREATION AREA (UNSURVEYED)

A strip of land 300 feet wide contiguous to both sides of the thread of Meadow Creek beginning at the mouth of Meadow Creek and ending $1\frac{1}{4}$ miles upstream and located wholly within the following described subdivisions:

T. 31 N., R. 9 E.,
Sec. 11, NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 14, E $\frac{1}{2}$;
Approximately 45 acres.

TWENTY FIVE MILE BAR RECREATION AREA (UNSURVEYED)

T. 32 N., R. 9 E.,
Sec. 31, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Approximately 20 acres.

GLOVER CREEK RECREATIONAL AREA (UNSURVEYED)

T. 32 N., R. 9 E.,
Sec. 32, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Approximately 10 acres.

This area includes approximately 897 acres.

CLARK R. NOBLE,
Acting State Supervisor.

[F. R. Doc. 58-5248; Filed, July 9, 1958;
8:46 a. m.]

[Evanston-022404]

WYOMING

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JULY 2, 1958.

1. In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976) the following described land has been reconveyed to the United States:

SIXTH PRINCIPAL MERIDIAN, WYOMING
T. 19 N., R. 105 W.,
Sec. 22, Lot 21.

The area described contains 4.68 acres of public land.

2. All minerals in the above described land, both leaseable and locatable, have been reserved by the grantor.

3. The tract is located north of Rock Spring, Wyoming, on the west side of Killpecker Creek. Soil is a brown sandy loam, supporting desert shrub vegetation in a sparse stand. Access is by service road from Rock Springs.

4. No application for these lands will be allowed under the homestead desert land, small tract or any other non-mineral public law, unless the lands have already been classified as valuable, or suitable for such type of application, or shall be so classified upon consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occu-

pancy or disposition until they have been classified.

5. Subject to any existing valid rights and the requirements of applicable law, the lands described above are hereby opened to filing of applications and selections in accordance with the following:

a. Applications and selections under the non-mineral public land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284), as amended, presented prior to 10:00 a. m. on August 7, 1958, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on November 6, 1958, will be governed by the time of filing.

(3) All valid applications and selections under the non-mineral public land laws, other than those coming under paragraphs (1) and (2) above presented prior to 10:00 a. m. on November 6, 1958, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

6. Persons claiming veterans preference rights under paragraph (2) above must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement; statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

7. Inquiries concerning these lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Post Office Box 929, Cheyenne, Wyoming.

EUGENE L. SCHMIDT,
Lands and Minerals Officer.

[F. R. Doc. 58-5251; Filed, July 9, 1958;
8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket Nos. 9557, 9503]

LEWIS B. MAYTAG, JR., ET AL.; ACQUISITION OF CONTROL AND INTERLOCKING DIRECTORATES CASE

NOTICE OF HEARING

In the matter of the approval of the acquisition of control and interlocking relationships involving Lewis Maytag, Jr., Frontier Airlines, Inc., Maytag Aircraft Corporation and Maytag International Corporation under sections 408 and 409 of the Civil Aeronautics Act of 1938 as amended.

Notice is hereby given pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that a hearing in the above-entitled proceeding is assigned for July 17, 1958 at 10:00 a. m., e. d. s. t., in Room 5132, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiner Paul N. Pfeiffer.

Dated at Washington, D. C., July 7, 1958.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 58-5277; Filed, July 9, 1958;
8:51 a. m.]

FEDERAL DEPOSIT INSURANCE CORPORATION

INSURED MUTUAL SAVINGS BANKS NOT MEMBERS OF THE FEDERAL RESERVE SYSTEM

CALL FOR REPORT OF CONDITION

Each insured mutual savings bank not a member of the Federal Reserve System is requested, pursuant to the provisions of section 10 (e) of the Federal Deposit Insurance Act, to send to the Federal Deposit Insurance Corporation within ten days after receipt of this notice a Report of Condition as of the close of business Monday, June 23, 1958, on Form 64 (Savings).¹

Said Report of Condition shall be prepared in accordance with "Instructions for the Preparation of Report of Condition on Form 64 (Savings) and Report of Income and Dividends on Form 73 (Savings)", dated June 1951.

FEDERAL DEPOSIT INSURANCE CORPORATION,

[SEAL] E. F. DOWNEY,
Secretary.

[F. R. Doc. 58-5260; Filed, July 9, 1958;
8:49 a. m.]

INSURED STATE BANKS NOT MEMBERS OF THE FEDERAL RESERVE SYSTEM, EXCEPT BANKS IN THE DISTRICT OF COLUMBIA AND MUTUAL SAVINGS BANKS

CALL FOR REPORT OF CONDITION

Each insured State bank not a member of the Federal Reserve System, except a bank in the District of Columbia and a

¹ Filed as part of the original document.

mutual savings bank, is requested, pursuant to the provisions of section 10 (e) of the Federal Deposit Insurance Act, to send to the Federal Deposit Insurance Corporation within ten days after receipt of this notice a Report of Condition on Form 64—Call No. 49¹, and a Schedule FA—Supplementary data on Time Deposits of Individuals, Partnerships, and Corporations,² as of the close of business Monday, June 23, 1958.

Said Report of Condition shall be prepared in accordance with "Instructions for the Preparation of Report of Condition on Form 64", dated December 1955, and Schedule FA shall be prepared in accordance with instructions printed on the Schedule.

FEDERAL DEPOSIT INSURANCE
CORPORATION,

[SEAL] E. F. DOWNEY,
Secretary.

[F. R. Doc. 58-5261; Filed, July 9, 1958;
8:49 a. m.]

FEDERAL COMMUNICATIONS
COMMISSION

[Docket Nos. 12107 and 12222; FCC 58M-701]

RIVERSIDE CHURCH IN THE CITY OF NEW
YORK AND HUNTINGTON-MONTAUK
BROADCASTING CO., INC.

ORDER SCHEDULING HEARING

In re applications of The Riverside Church in the City of New York, New York, Docket No. 12107, File No. BPH-2174; Huntington-Montauk Broadcasting Co., Inc., Huntington, New York, Docket No. 12222, File No. BPH-2233; for construction permits.

By agreement of the parties: *It is ordered*, This 1st day of July 1958, that the hearing in the above-entitled proceeding, heretofore continued without date, is hereby scheduled to be held on September 9, 1958, at 10:00 a. m., in the offices of the Commission, Washington, D. C.

Released: July 2, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-5264; Filed, July 9, 1958;
8:50 a. m.]

[Docket Nos. 12207 and 12420; FCC 58M-705]

GRADY M. SINYARD AND STATES BROADCAST-
ING SYSTEM, INC.

ORDER CONTINUING HEARING

In re applications of Grady M. Sinyard, New Boston, Ohio, Docket No. 12207, File No. BP-11076; States Broadcasting System, Inc., St. Marys, Ohio, Docket No. 12420, File No. BP-11598; for construction permit.

By agreement of the parties: *It is ordered*, This 2d day of July 1958, that the hearing in the above-entitled proceeding, heretofore scheduled to be held on July 16, 1958, is continued to Septem-

ber 16, 1958, at 10:00 a. m., in the offices of the Commission, Washington, D. C.

Released: July 2, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-526; Filed, July 9, 1958;
8:50 a. m.]

[Docket Nos. 12432 etc; FCC 58M-699]

WILSON BROADCASTING CORP. ET AL.

ORDER CONTINUING HEARING

In re Applications of Wilson Broadcasting Corporation, New Bedford, Massachusetts, Docket No. 12432, File No. BPCT-2232; E. Anthony & Sons, Inc., New Bedford, Massachusetts, Docket No. 12433, File No. BPCT-2233; Eastern States Broadcasting Corp., New Bedford, Massachusetts, Docket No. 12434, File No. BPCT-2252; New England Television Company, Inc., New Bedford, Massachusetts, Docket No. 12435, File No. BPCT-2425; for construction permits for New Television Broadcast Stations (Channel 6).

The Hearing Examiner has under consideration: (1) a petition for leave to file amendment, together with the amendment, filed June 6, 1958, on behalf of Eastern States Broadcasting Corp. (hereinafter referred to as Eastern States); (2) an opposition to the petition filed June 12, 1958, on behalf of Wilson Broadcasting Corporation; (3) the statements made in oral argument by counsel for all parties on June 17, 1958; (4) a memorandum in support of the petition filed June 24, 1958, on behalf of Eastern States; (5) a memorandum in opposition filed June 24, 1958, on behalf of E. Anthony & Sons, Inc. (hereinafter referred to as Anthony); and (6) the procedural facts shown by the Docket Record herein.¹

The amendment seeks to show that Charles W. Steadman has severed his relationships with Eastern States and that consequent changes were made in the corporate organization. Briefly, Mr. Steadman was general counsel, secretary, a director, a stockholder, and a stock subscriber in the corporation; he was a 10 percent owner. Petitioner states that after this proceeding was designated for hearing (by Commission order released May 19, 1958) a disagreement between Mr. Steadman and others in the corporation relating to attorney fees and the conduct of the case led to Mr. Steadman's resignation and withdrawal. The amendment would alter the corporate structure by: (1) eliminating all references to Mr. Steadman; (2) showing that an existing stockholder, John S. Ashley, has become secretary; (3) increasing the stock subscription of Paul

¹ A written opposition to the petition was filed June 16, 1958, on behalf of Anthony; it is not considered, having been filed beyond the time limit fixed by § 1.43 of the Commission's Rules, but consideration is given to opposing arguments made on the record on behalf of Anthony, New England Television Company, Inc., and Bureau.

E. Thurlow from 4,410 to 6,860 shares (from 15.55 percent to 21 percent); (4) increasing from 5,400 to 7,450 shares (16.55 percent) the stock reserved for employees; (5) correcting in minor respects errors of calculation pertaining to the interests of two other stock subscribers; and (6) showing that Alfred Morton has become a director of the corporation. The amendment includes a biographical statement concerning Mr. Morton who was not previously connected with Eastern States, and who appears to have had a substantial amount of experience in radio and television broadcasting.

Petitioner contends that it has met the requirements of § 1.311 (b) of the Commission's Rules which provides that an amendment to an application after designation for hearing "will be granted only for good cause shown." An element of good cause is diligence, and it is clear that petitioner has sought to amend with reasonable promptness after Mr. Steadman's resignation. It is pointed out that the hearing has not been commenced and will not begin until after August of 1958, and it is urged that progress of the proceeding will not be disrupted by the amendment. Petitioner argues that no disadvantage to the competing applicants would result, and, in any event, the accomplished fact of Mr. Steadman's resignation necessitated changes in the corporate structure of the nature here proposed. It is claimed that the reorganization was made largely "within the family", and that "the act which precipitated the changes herein was beyond Eastern States' control."

The competing applicants contend that the amendment should not be allowed because it might change substantially, and to the disadvantage of competing applicants, the competitive case to be presented by Eastern States. It is pointed out that petitioner's application and other applications have been on file for many months and that the inevitability of a comparative hearing was apparent to petitioner for a long time prior to the order of designation—a period of time in which amendment by petitioner could have been effected as a matter of right. It is urged that the disagreement between petitioner and Mr. Steadman was an internal matter for which responsibility attaches to Eastern States, and that it should not now be permitted to augment its potential showing: of increased stock ownership by Mr. Thurlow; of increased employee stock participating potential; of a substituted occupant of the secretary's position; and of a so recently added director with broadcast experience and possible local residence ties.

After weighing the holdings of the Commission in Pioneer Broadcasters, Inc., 8 RR 648, in the affirmed ruling in The Toledo Blade Company, 10 RR 1221, and in the other cases cited by the parties, it is the considered opinion of the Hearing Examiner that petitioner has failed to allege and show good cause for allowing the proposed amendment. The disagreement within the corporation that led to Mr. Steadman's resignation and the fact of his withdrawal do not constitute sufficient reasons for permitting this

² Filed as part of the original document.

applicant to change its competitive position by the individual replacements and stock realignments here proposed. The other applicants are in fairness entitled to proceed to hearing in competition with the applicant as constituted at the time the order of designation was issued unless persuasive reasons require otherwise, i.e., unless good cause justifies an altered and possibly improved comparative position for the petitioner. Facts amounting to good cause are not here shown.

It is ordered, This 30th day of June, 1958, that the petition for leave to file amendment be and it is hereby denied, and the amendment tendered with said petition is rejected; and

It is further ordered, That the hearing in this proceeding which is now scheduled to be commenced on July 22, 1958, is continued until such time as may be fixed by subsequent order.

Released: July 1, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[P. R. Doc. 58-5266; Filed, July 9, 1958;
8:50 a. m.]

[Docket No. 12487; FCC 58M-706]

WILA, INC. (WILA)

ORDER ADVANCING HEARING DATE

In re Application of WILA, Incorporated (WILA), Danville, Virginia, Docket No. 12487, File No. BMP-7592; for modification of construction permit.

The Hearing Examiner having under consideration a motion filed by the applicant on June 25, 1958, requesting an advancement of the hearing date;

It appearing that the advanced date would be beneficial not only to the applicant but also to the Hearing Examiner's schedule; and

It further appearing that no opposition has been expressed to the request;

It is ordered, This 2d day of July 1958, that the motion for advancement of hearing is granted and that the hearing will commence on July 24, 1958; and *It is further ordered*, That there will be a prehearing conference on July 8, 1958, at 9:30 a. m.

Released: July 3, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[P. R. Doc. 58-5267; Filed, July 9, 1958;
8:50 a. m.]

[Docket No. 12498; FCC 58M-693]

FALL RIVER BROADCASTING CORP. (KOBH)

ORDER SCHEDULING HEARING

In re Application of Fall River Broadcasting Corporation (KOBH), Hot Springs, South Dakota, Docket No. 12498, File No. BP-11281; for construction permit.

It is ordered, This 27th day of June 1958, that Thomas H. Donahue will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 1, 1958, in Washington, D. C.

side at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 2, 1958, in Washington, D. C.

Released: July 1, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[P. R. Doc. 58-5268; Filed, July 9, 1958;
8:50 a. m.]

[Dockets Nos. 12501 etc.; FCC 58M-694]

COMMUNITY TELECASTING CORP. ET AL.

ORDER SCHEDULING HEARING

In re Applications of Community Telecasting Corporation, Moline, Illinois, Docket No. 12501, File No. BPCT-2339; Frederick Epstein, Roy B. Cohen, Burt H. Cohen, Milton H. Cohen and Marvin Borman, d/b as KSTT Telecasting Company, Davenport, Iowa, Docket No. 12502, File No. BPCT-2356; Tele-Views News Company, Inc., Moline, Illinois, Docket No. 12503, File No. BPCT-2367; Midland Broadcasting Co., Moline, Illinois, Docket No. 12504, File No. BPCT-2370; Illiway Television, Inc., Moline, Illinois, Docket No. 12505; File No. BPCT-2428; Moline Television Corp., Moline, Illinois, Docket No. 12506, File No. BPCT-2440; Public Service Broadcasting Company, Moline, Illinois, Docket No. 12507, File No. BPCT-2442; Iowa-Illinois Television Co., Moline, Illinois, Docket No. 12508, File No. BPCT-2496; for construction permits for New Television Broadcast Stations.

It is ordered, This 27th day of June 1958, that Charles J. Frederick will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 1, 1958, in Washington, D. C.

Released: July 1, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[P. R. Doc. 58-5269; Filed, July 9, 1958;
8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3614]

TRANS CONTINENTAL INDUSTRIES, INC.

ORDER SUMMARILY SUSPENDING TRADING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 3d day of July A. D. 1958.

In the matter of trading on the American Stock Exchange and the Detroit Stock Exchange in the common stock, \$1 par value of Trans Continental Industries, Inc., File No. 1-3614.

The common stock, \$1 par value of Trans Continental Industries, Inc., being listed and registered on the American Stock Exchange and the Detroit Stock Exchange, national securities exchanges; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such Exchanges and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15 (c) (2) of the Securities Exchange Act of 1934 and the Commission's Rule 240.15c2-2 (17 CFR 240.15c2-2) thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange.

It is ordered, Pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934 that trading in said security on the American Stock Exchange and the Detroit Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, July 6, 1958, to July 15, 1958, inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[P. R. Doc. 58-5254; Filed, July 9, 1958;
8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-15399]

SOHIO PETROLEUM CO.

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATES

JULY 3, 1958.

Sohio Petroleum Company (Sohio) on June 6, 1958, tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated. Purchaser: Natural Gas Pipeline Company of America.

Rate schedule designation: Supplement No. 3 to Sohio's FPC Gas Rate Schedule No. 37.

Effective date: July 10, 1958 (effective date is the effective date proposed by Sohio).

In support of the proposed periodic rate increase, Sohio refers to the contract price provisions and states that the price was arrived at by arm's-length negotiation and does not exceed the current commodity value of the gas.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the

Commission enter upon a hearing concerning the lawfulness of the said proposed change and that Supplement No. 3 to Sohio's FPC Gas Rate Schedule No. 37 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 3 to Sohio's FPC Gas Rate Schedule No. 37.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until December 10, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission (Commissioner Kline dissenting).

[SEAL] JOSEPH H. GUTRIE,
Secretary.

[F. R. Doc. 58-5259; Filed, July 9, 1958;
8:49 a. m.]

[Docket No. G-15398]

BILLY BRIDEWELL ET AL.

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATES

JULY 3, 1958.

Billy Bridewell (Operator) et al. (Bridewell), on June 5, 1958, tendered for filing a proposed change in his presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated May 1, 1958.

Purchaser: Cities Service Gas Company.
Rate schedule designation: Supplement No. 1 to Bridewell's FPC Gas Rate Schedule No. 3.

Effective date: July 31, 1958 (effective date is the effective date proposed by Bridewell).

In support of the proposed periodic rate increase, Bridewell states that the increased price is a matter of contractual obligation under a contract resulting from bona fide arm's-length negotiations and that such schedules of periodic price escalations are common in long-term gas sales contracts. Bridewell states additionally that the proposed price is just and reasonable and to deny same would

be inequitable, unfair and confiscatory, and would deprive him of property without due process of law.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 1 to Bridewell's FPC Gas Rate Schedule No. 3 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 1 to Bridewell's FPC Gas Rate Schedule No. 3.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until December 31, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission (Commissioner Kline dissenting).

[SEAL] JOSEPH H. GUTRIE,
Secretary.

[F. R. Doc. 58-5258; Filed, July 9, 1958;
8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 7, 1958.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 34902: *Clay between points in southwest and border points.* Filed by Southwestern Freight Bureau, Agent (SWFB No. B-7319), for interested rail carriers. Rates on granulated or pulverized clay, carloads between points in the Southwest, between points in southwestern territory, on the one hand, and

Paducah, Ky., on the other, and between points in southwestern territory, on the one hand, and points in gateways territory in Alabama, Louisiana (east of the Mississippi River), Kentucky, Mississippi, and Tennessee, on the other.

Grounds for relief: Short-line distance formula and grouping.

Tariff: Supplement 291 to Southwestern Lines Tariff I. C. C. 4020.

FSA No. 34803: *Fine coal—Southern Railway mines to points in Carolina territory.* Filed by Southern Railway Company, Agent (No. 135-A), for interested rail carriers. Rates on fine coal, carloads from mines on the Southern Railway and its short-line connections in eastern Tennessee, southwestern Kentucky, and southwestern Virginia to points in North Carolina and South Carolina, also to Augusta, Ga., and points in Georgia on the Charleston and Western Carolina Railway intermediate to Augusta.

Grounds for relief: Competition of natural gas, oil, etc.

Tariff: Supplement 47 to Southern Railway Company's tariff I. C. C. A-11352.

FSA No. 34804: *Molasses residuum—New Orleans, La., to southwestern and western trunk line territories.* Filed by Southwestern Freight Bureau, Agent (SWFB No. B-7321), for interested rail carriers. Rates on distillery molasses residuum (residuum from molasses distillation), dry, carloads from New Orleans, La., to specified points in Arkansas, Colorado, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Wisconsin, and Wyoming.

Grounds for relief: Market competition and short-line distance formulas.

Tariffs: Southwestern Lines Freight Tariff I. C. C. 4292.

FSA No. 34805: *Animal or poultry feed—New Orleans, La., to southwestern and western trunk line territories.* Filed by Southwestern Freight Bureau, Agent (SWFB No. B-7322), for interested rail carriers. Rates on prepared animal or poultry feed, noibn, carloads from New Orleans, La., to specified points in Arkansas, Colorado, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Wisconsin, and Wyoming.

Grounds for relief: Market competition and short-line distance formulas.

Tariff: Southwestern Lines Freight Tariff I. C. C. 4292.

FSA No. 34806: *Cheese—Fulton and Leitchfield, Ky., to southern territory.* Filed by O. W. South, Jr., Agent (SFA No. A3692), for interested rail carriers. Rates on cheese, including cheese foods and related articles, carloads from Fulton and Leitchfield, Ky., to points in southern territory.

Grounds for relief: Short-line distance formula, grouping, special rate treatment for relief lines.

Tariff: Supplement 29 to Southern Freight Association tariff I. C. C. 1527.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 58-5256; Filed, July 9, 1958;
8:48 a. m.]











